



TECHNICAL COMMITTEE REPORT

To: Planning Commission

From: Technical Committee

Staff Contact: Cathy Beam, AICP, Principal Planner

Date: September 20, 2021

File Numbers: PR-2021-00028, LAND-2021-00016, SEPA-2020-00017

Project Name: Tree Regulations Update

Applicant: City of Redmond

Reasons the Proposal should be Adopted (or Denied): The Technical Committee recommends adopting the proposal to ensure the City's Tree Regulations align with the current community vision, the City's Comprehensive Plan, Community Strategic Plan, and Housing Action Plan, and prepare the City's development regulations for continued growth.

I. APPLICANT PROPOSAL

The City proposes amending Redmond Zoning Code (RZC) 21.72, Tree Protection and associated definitions in RZC 21.78, Definitions. (See Exhibit A, Proposed RZC 21.78 Tree Regulations and Exhibit B, Proposed RZC 21.78 Definitions)

A high-level summary of proposed changes to the Tree Regulations and associated relevant definitions are listed below. Please refer to Exhibits A and B for detailed revisions. See also Exhibit C, Tree Regulations Crosswalk Table.

- Adds clarifications and new definitions relevant to tree regulations, such as critical root zone, impacted tree, retained tree, hazardous tree, and topping.

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- Clarifies approach to hazardous trees. Their removal requires a permit and replacement plantings. Dead trees have been removed from the current definition of hazardous trees.
- Establishes a tree management approach, similar to mitigation sequencing, for a deliberate strategy on evaluating impacts to avoid removing trees, minimizing tree impacts by retaining as many trees as possible, rectifying the impact by replacing trees at a higher ratio, compensating by paying a fee-in-lieu, then monitoring through the required bonding period.
- Increases tree replacement ratios in response to public input and to help address the temporal loss of trees and achieve the goals of the Tree Canopy Strategic Plan. Currently, a 1:1 replacement ratio is required for significant trees and a 3:1 replacement ratio is required for landmark trees. The proposal includes a 3:1 replacement ratio for significant trees and a 6:1 replacement ratio for landmark trees. In addition, hazardous trees require a 1:1 replacement.
- References made to the Green Building Incentive Program and Administrative Design Flexibility code sections for incentives when protecting more trees beyond what's required.
- Adds language to designation of protected trees section to be consistent with the approach to critical areas, such as putting them in tracts and adding a notice to the title.
- Specifies how tree regulations apply to City capital improvement projects. Current regulations exempt removal of trees in easements and rights-of-way for the purposes of constructing public streets and utilities from securing a tree removal permit. However, these projects are subject to the purpose and intent of the tree regulations and mitigation of significant tree removal is required per tree replacement standards. Proposed regulations continue to require capital improvement projects, including public roads and utility systems, meet the retention and mitigation requirements of the tree regulations. Over-the-counter tree removal permits will be required to ensure the City is accountable for tree removals and its work is consistent with the Tree Canopy Strategic Plan and Environmental Sustainability Action Plan.
- Clarifies replacement fee-in-lieu is a last resort, meaning applicants will need to document in writing why on-site or off-site tree replacement is not practical. Additionally, the fee-in-lieu cost has been modified. This fee was initially established at \$250 per replacement tree. Over time it has been reduced to \$98 per tree when the City revised the fee schedules in 2019 as part of a fee study aligning cost with associated staff time. The study did not account for the cost of the replacement tree or impact of removal. Proposed fee-in-lieu amounts are \$500 for each significant tree removed and \$2,000 for each landmark tree removed.
- Changes the name of the *Exceptions* section to *Deviations* for consistency with existing Zoning Code terminology. Revisions specify documentation for deviation requests and the criteria for granting a deviation has been clarified.
- Revises the Enforcement (penalties/remediation) section in response to community feedback that the enforcement was not serious enough when it

comes to illegal tree removal. These revisions increase the number of replacement trees based on the size of the tree removed. Financial penalties are proposed to be based upon industry standards and reference the International Society of Arboriculture's "Guide for Plan Appraisal," versus a flat fee of \$3,000.

- Lastly, organizes regulations with a new layout that sets out approach and flows more smoothly and logically than the current regulations. As always, the Purpose and Intent are at the outset, providing additional context by expressing benefits and value of trees. The regulations next address the approach to tree management, which flows into on-site tree protection measures. Once these items have been established, these regulations define the permitting approach, followed by deviations, closing out with enforcement.

A summary of proposed changes to Definitions (RZC 21.78) are listed below. Please refer to Exhibit B for detailed revisions.

- Includes several new definitions which complement the tree regulations. Terms that are defined include: *bark, bracing, calipers, critical root zone, dead tree, declining tree, diseased tree, girdling, impacted tree, injured tree, pruning, retained tree, and topping.*
- Modifies some existing definitions for clarification. These definitions include *caliper, certified arborist, hazardous tree, removal, and snag.*

Table 1: Key Regulation Changes

TOPIC	CURRENT REGULATIONS	PROPOSED REGULATIONS
Tree Management Approach	No clear approach or hierarchy	Establishes tree management approach, <u>similar</u> to mitigation sequencing, for deliberate strategy on evaluating impacts to trees.
Tree Retention for Development Proposals	35%	35%
Tree Replacement Ratios	1:1 for Significant Trees 3:1 for Landmark Trees None required for Hazardous Trees	3:1 for Significant Trees 6:1 for Landmark Trees 1:1 for Hazardous Trees
Fee in Lieu Cost	Originally \$250 Currently \$98	\$500 for each Significant Tree \$2,000 for each Landmark Tree

II. RECOMMENDATION

The Technical Committee recommends approval of the proposed amendments to the Redmond Zoning Code as shown in Exhibits A and B.

III. BACKGROUND, FACTORS CONSIDERED AND ALTERNATIVES

A. BACKGROUND AND REASON FOR THE PROPOSAL

The City of Redmond adopted the current tree protection regulations (Ordinance 1998) in 1998. In general, the regulations contain tree retention standards for new developments as well as tree removal permit requirements on developed lots. These regulations have not had a comprehensive review since they were adopted over twenty years ago. The amendment process included involvement opportunities for the public. Input from the public informed the need for regulatory modifications and ways in which the City could achieve measurable goals in the context of urban growth.

A key element of updating the regulations is to first understand the framework the City works within. Under the Growth Management Act (GMA), Redmond is designated within an Urban Growth Boundary, meaning the City will continue to absorb population growth as it occurs. The Urban Growth Boundary is a mechanism to curtail urban sprawl. In Redmond, the eastern border is generally the urban growth boundary, curtailing urban development out into rural areas such as the Snoqualmie Valley.

The Redmond 2050 project is underway, which will update the City's Comprehensive Plan and many of the implementing plans and regulations. The Comprehensive Plan establishes the City's future vision and policy direction and shows how the City complies with GMA requirements. The Plan will address growth consistent with the State's Growth Management Act and regional planning requirements for updates. The Comprehensive Plan must be consistent with Countywide Planning Policies and Multicounty Planning Policies as outlined by the Puget Sound Regional Council. The majority of growth allocated to the City will continue to plan for the Urban Centers and transit-oriented development areas, such as Overlake, Downtown, and Marymoor. Tree canopy is an important part of the character of many Redmond neighborhoods. There will likely be some infill development in established neighborhoods as well, and it is acknowledged that maintaining neighborhood character is important.

The main goals of the tree regulations update are to:

- Provide clarity in the regulations where there are conflicts or areas the regulations don't address to ensure consistent implementation and predictability;
- Ensure they are reflective of community values;
- Align with the Community Strategic Plan so that regulations are complimentary and don't conflict with the greater vision; and
- Responsibly maintain our tree canopy while supporting necessary growth and equitable opportunities to housing.

The overarching objectives are to:

- Ensure early-on robust internal and external stakeholder involvement so the regulations align with community vision;

- Identify gaps in the regulations to clearly identify how tree protection regulations are implemented;
- Research surrounding jurisdictions' codes for a comparative analysis, including looking nationwide at emerging trends;
- Establish a clear mechanism for annual reporting;
- Provide framework for current and future tree protection to ensure the regulations identify mechanisms by which actions work together, such as support the Tree Canopy Strategic Plan and Environmental Sustainability Action Plan;
- Ensure the regulations are in alignment with the adopted Comprehensive Plan and growth targets; and
- Provide consistent and accountable development services center operations regarding trees.

Exhibits A and B show the proposed edits to the Tree Protection Regulations and associated Definitions respectively.

B. FACTORS CONSIDERED

Staff prepared a comparative analysis of tree regulations of similar jurisdictions and reviewed tree permitting and removal data from the City's permitting software. In addition, early public input was factored into the proposed regulations. Each of these items is described in detail below.

1. Research

Staff researched tree codes from other King County jurisdictions, including Kirkland, Sammamish, Bellevue, Issaquah, Renton, and Woodinville. This enabled staff to determine where Redmond falls in the spectrum of tree protection and regulation in the region. (See Exhibit D, Surrounding Jurisdictions Tree Regulations Comparison Table)

All jurisdictions have similar definitions of significant trees. Sammamish and Bellevue's size of significant trees is eight inches in diameter at breast height (DBH), as opposed to six inches DBH. Issaquah and Renton use six inches DBH but require cottonwoods and alders be eight inches DBH to be considered significant trees. Issaquah, Sammamish, and Renton regulate landmark trees. Issaquah's and Renton's landmark tree definitions are similar to Redmond's, trees greater than 30" DBH. The City of Sammamish defines a landmark tree as 32" DBH. However, they do have a heritage tree definition which is a tree greater than 22" (but less than 32") DBH. Issaquah and Woodinville have a heritage tree definition which does not include a minimum size. Similarly, Kirkland has a specimen tree definition that does not include a minimum size. Staff recommends keeping the existing definition of significant tree, which is generally any health tree at least six inches DBH. Staff also recommends keeping the existing definition of landmark

tree which is any healthy tree over 30" DBH. These recommendations are generally consistent with public input.

Five of the six jurisdictions require tree removal permits for significant trees. Most have a sliding scale for the number of trees that may be removed within one year (365 days) that vary with the lot size, similar to Redmond. All jurisdictions have some level of tree preservation required with land development activity. This ranges from 10% to 50% tree preservation depending on the jurisdiction and the underlying zoning of the development proposal property. Several jurisdictions have a minimum tree density requirement which is a formula-based calculation. The recommendation is to keep the sliding scale approach to tree removal permits. In addition, it is recommended to keep the 35% tree retention requirement for land development. This falls in the mid to high range of tree retention requirements of surrounding jurisdictions that regulate trees with a similar approach.

Most jurisdictions require tree replacement plantings. The majority of cities that require tree replacement plantings are consistent with Redmond's 1:1 requirement. Additionally, most of those cities require a minimum size at installation of replacement trees at two-inch caliper. Redmond regulations require size of replacement trees at two- and one-half-inch caliper for deciduous trees and six feet in height for evergreen trees. For those jurisdictions that have a fee-in-lieu program, Redmond has the lowest fee at \$250 per tree, with Woodinville at \$500 per tree credit. (Note: This fee has been inadvertently modified over the years and in 2020 the tree replacement fee was \$98.) Other cities' fees are based on the current market value of the replacement tree and the labor to install the tree. (See Exhibit D, Surrounding Jurisdictions Tree Regulations Comparison Table) Staff recommends increasing the fee-in-lieu to \$500 for each significant tree removed and \$2,000 for each landmark tree removed. This is based on typical ecosystem services lost when removing mature trees and public input.

Snohomish County has urban tree canopy coverage requirements. The regulations apply to all new residential development within unincorporated Urban Growth Areas. The tree canopy includes all coniferous and deciduous trees six feet in height or greater. Street trees planted as part of frontage improvements can be counted towards the canopy total. Tree canopy coverage requirements are set to a sliding scale based on the type of residential development and the number of lots or units. The minimum canopy coverage requirements range from 15% to 30%. Staff discussed this approach and concluded it would be more difficult to administer versus tree counts.

2. EnerGov Tree Data

Staff analyzed tree permit issuance data from EnerGov, the City's electronic permitting system. Tree data was obtained from 2015 through 2019 to provide an

overview of tree removal in Redmond during the past five years. Staff reviewed tree removal permit information regarding the number of tree permits issued and the number of replacement trees required. Tree data from land use permits over the past five years was reviewed to determine the percentage of trees retained, the number of significant and landmark trees removed, and the number of replacement trees planted.

The table below lists the number of individual tree removal permits sought over the past five years and in the first quarter of 2020. These are permits that were issued for existing developed sites, such as single-family homes, apartment complexes, and commercial properties. Tree removal permits are most commonly applied for by individual homeowners for a number of reasons, most commonly related to safety concerns.

Table 2: Tree Removal Permit Data

	2015	2016	2017	2018	2019
Number of Tree Removal Requests	326	315	432	424	438
Number of Tree Removal Permits Issued	324	314	424	412	432
Number of Significant Trees Proposed for Removal	550	473	1023	813	960
Number of Significant Trees Approved for Removal	525	473	753	708	929
Number of Replacement Trees Required	561	539	636	588	458

It appears from the data above that the number of replacement trees is not keeping pace with the number of significant trees removed. The current tree protection regulations require each significant tree removed be replaced by one new tree.

A few key findings resulted from staff's research of tree removal permits. Some of the findings translate to lessons learned and provide opportunities for process improvements such as establishing more effective tree removal permits. These observations include:

- The ratio of trees being retained versus removed may not fully reflect the effectiveness of tree policies over time. The intake planners have been increasingly thorough with applications, therefore significantly reducing the amount of denied applications in recent years by simply educating customers about code, processes, and requirements and eliminating the need for applying in certain scenarios.

- Many residents will include dead, diseased, or dying trees in their removal permits. While these trees are documented, they do not require replacements. More detailed and strategic tracking of when unhealthy trees are included as part of tree removal permit applications is an area of opportunity identified by staff.
- Data entry methods have varied significantly over time due to vague definitions of significant vs. hazardous tree counts, inadequate training, and lack of detailed descriptions.
- A clear understanding of how tree data is used informs effective data entry methods and the proper use of the internal permit tracking modules with the City's permitting system.

Once an effective method for data entry is implemented, quarterly metrics and reporting requirements will ease and facilitate the accurate compiling of meaningful data moving forward.

All proposals for development are subject to the tree protection standards as well. Under the existing tree code, all new developments, including additions to existing non-single-family buildings and parking areas require the retention of 35% of all significant trees. The regulations do allow exceptions to this standard provided specific criteria are met and approved.

Staff reviewed data on a number of development proposals from 2015 through 2019 subject to tree protection regulations. This is inclusive of developments proposed in Redmond's two urban centers. The table below illustrates on average over the past five years, 73% of land development applications submitted have met the 35% tree retention requirement.

Table 3: Percent Tree Retention in Development Proposals Data

	2015	2016	2017	2018	2019
Number of Development Proposals Requiring 35% Tree Retention	47	47	22	40	51
Number of Development Proposals Meeting 35% Tree Retention¹	34 33% U 67% O	35 22% U 78% O	19 37% U 63% O	29 45% U 55% O	31 37% O 63% O
Percent of Development Proposals Meeting 35% Tree Retention	72	75	86	73	61

¹ The two numbers below the first number in this row are the percentage of those development proposals in the Urban Center "U", and those elsewhere in the City "O" that have met the minimum 35% tree retention requirement.

All significant trees removed as part of land development proposals are required to be replaced at a 1:1 ratio. All landmark trees removed are required to be replaced at a 3:1 ratio. The table below contains data related to significant tree removal totals and number of replacement trees required.

Table 4: Tree Retention Numbers in Development Proposals Data

	2015	2016	2017	2018	2019
Number of Significant Trees Approved for Removal	658	1174	496	2700	7605
Number of Trees Planted Due to Significant Tree Removal	703	2150	681	2761	7650
Number of Landmark Trees Approved for Removal	46	91	41	104	103
Number of Trees Planted Due to Landmark Tree Removal	111	288	133	282	309

A significant number of trees were proposed for removal over the past few years which are attributed to Sound Transit, Microsoft Refresh, Oculus, and several subdivisions in the Rose Hill Neighborhood. The required 1:1 replacement for significant trees have always been met, if not exceeded in some years. However, it appears the numbers for landmark tree replacements (2015 & 2018) haven't always been met.

The tree protection regulations allow exceptions to meeting the 35% tree retention standard as well as permitting landmark tree removal, when specific criteria are met. This criterion includes reasonable use of property, increased density in urban centers, or unique circumstances related to the property. The table below provides the statistics on exception requests over the past five years.

Table 5: Tree Exception Requests Data

	2015	2016	2017	2018	2019
Number of Tree Exception Requests	14	25	5	15	15
Number of Tree Exception Requests Granted	14	25	5	15	11
Percent of Tree Exception Requests Granted	100	100	100	100	TBD

Exception requests have run from a high of 25 in 2016 to a low of 5 in 2017. The City has granted all exceptions requests, but it is important to note staff are more vigilant about not allowing submittal of those that wouldn't be supported to apply. The data set for years 2019 is not yet complete as some of the projects requesting tree exceptions are still under review.

All the above data helped inform proposed changes to the current tree regulations and internal processes.

3. Let's Connect Webpage

Staff created a Tree Regulations Let's Connect webpage and questionnaire for public input in advance of crafting updated regulations. The webpage contains information which frames the context for the proposed regulation update, along with a schedule and supporting documents. The questionnaire was open June 27, 2020 thru August 10, 2020. It contained a series of open-ended questions on a variety of aspects to help inform the crafting of updated tree regulations. The questionnaire was set up to be non-leading and non-biased. There were seven questions as noted below:

1. A significant tree is defined as any healthy tree six inches in diameter at breast height (d.b.h.), or any tree four inches in diameter at breast height (d.b.h.) that, after considering its age, height, value, or function, the tree or tree stand is determined to be significant.
 - a. Should this definition be changed?
 - b. If you think it should be changed, what do you suggest for a significant tree definition?
2. A landmark tree is defined as any healthy tree over 30" in diameter at breast height.
 - a. Should this definition be changed?
 - b. If you think it should be changed, what do you suggest for a landmark tree definition?
3. Tree removal permits are required for removal of significant trees. Do you agree with this practice?
4. Development proposals are required to retain 35% of the significant trees on the development site.
 - a. Do you think the retention number should be higher, lower, or remain the same?
 - b. If you think tree retention should be higher or lower, what percentage retention would you suggest?
5. The City has a fee-in-lieu program where people can pay into a tree fund when they can't replace a tree on-site. The current fee is \$250.
 - a. Should this fee be higher, lower, or remain the same?
 - b. If you think it should be higher or lower, what fee would you suggest and why?
6. Is there anything specific you would like considered as part of the Tree Protection regulations update?
7. If you would like to be a party of record to future Planning Commission and City Council deliberations on this topic, please provide your name and a valid mailing address.

In summary, 82 individuals responded the definition should remain the same while 34 responded it should be revised. Similarly, 87 respondents said the landmark tree definition should remain the same while 28 suggested it be revised. Those who suggested revisions mentioned landmark trees should be species dependent considering the health, desirability of the species and location. An overwhelmingly 102 respondents noted the City should continue the practice of issuing tree removal permits, while 18 noted the City should cease the practice. Several comments were made regarding making the process easier for single family homeowners to secure a permit. Regarding the current requirement for development proposals to retain 35% of significant trees, the majority of respondents would like this number increased (71 for higher, 9 for lower, and 37 for remain the same). Fifty percent was the most common response for making the retention requirement higher. Some respondents mentioned different retention requirements for significant versus landmark trees. Most people responding (75) suggested higher in-lieu-fees, while 27 suggested keeping it the same, and 13 responded it should be lower. Five hundred dollars (\$500) was the most common recommendation on fee-in-lieu cost per tree, followed by \$1,000 (13 respondents).

Lastly, the open-ended question answers were categorized into tree retention/protection; tree removal; tree replacement; fee-in-lieu; enforcement/penalties; education; tree benefits; single family homeowners; and some miscellaneous comments. The answers to the questionnaire were captured and put into a summary spreadsheet (See Exhibit E, Let's Connect Summary Table). For more details, please refer to this exhibit.

4. Virtual Office Hours

Staff held two virtual office hours on August 19th for additional public input prior to writing updated regulations. Comments from the morning session varied with participants expressing concern that tree removal is too easy to obtain, replacement plantings are not effective, enforcement is lacking, and the need for education. Comments from the afternoon session included the interconnectedness of the Tree Canopy Strategic Plan, the Environmental Sustainability Action Plan and the proposed Updated Tree Regulations, and the potential for conflicts between overhead utility lines and tree retention. Staff meeting notes from both the morning and afternoon Virtual Offices Hours can be found in Exhibit F, Virtual Office Hour Notes.

5. Cross-Departmental Team

The City assembled a cross-departmental team (Tree Team) to collaborate on updating the tree regulations. An operating charter was established with the goal of proposing updated tree regulations that provide clarity, are reflective of community values, and align with the City's Strategic Plan. This team met bi-

monthly since June 2020 working through proposed language revisions based upon both internal and external input.

6. Technical Committee

The City of Redmond Technical Committee reviewed the proposed tree regulations and associated definitions. The Committee had a robust discussion regarding the application of the proposed regulations to capital improvement projects (CIPs), public transportation and utility systems, and maintenance of infrastructure. Construction of CIPs must meet the requirements of the proposed regulations. Public transportation and public utility systems must protect significant trees to the maximum extent practicable, while still ensuring efficient development. Similarly, maintenance activities on infrastructure must protect significant trees to the maximum extent practicable, while still ensuring safe operations.

C. ALTERNATIVES

The Planning Commission could recommend no action or modify the proposal recommended by the Technical Committee.

IV. COMPLIANCE WITH CRITERIA FOR COMPREHENSIVE PLAN AND ZONING CODE AMENDMENTS

Redmond Comprehensive Plan Policy PI-16 directs the City to take several considerations, as applicable, into account as part of decisions on proposed amendments to the Comprehensive Plan. Items 1 through 6 apply to all proposed amendments. The following is an analysis of how this proposal complies with the requirements for amendments.

1. Consistency with Growth Management Act (GMA), State of Washington Department of Commerce Procedural Criteria, VISION 2040 or its successor, and the King County Countywide Planning Policies.

The proposed amendments consider direction from the GMA, the Department of Commerce, VISION 2040, and Countywide Planning Policies by providing guidance, consistency, and transparency between the City's Comprehensive Plan and Zoning Code.

2. Consistency with the Redmond Comprehensive Plan.

The proposed amendments are consistent with the following policies:

NE-112 Preserve the natural environment and Redmond's forested appearance.

NE-113 Maintain no net loss of significant trees within the city over the long term.

NE-114 Maximize tree retention and a treed appearance when development occurs through the following:

- Require the retention of viable tree clusters, forested slopes, treed gullies, and specimen trees that are of species that are long-lived, not dangerous, well-shaped to shield wind, and located so that they can survive within a development without other nearby trees.
- Design and construct developments to retain these trees.
- Identify and protect these trees during land division and site development.
- Allow removal of nonsignificant trees to provide for project construction.
- Plant replacement trees on appropriate areas of the site or off-site locations to replace significant trees removed during construction.
- Encourage appropriate tree pruning, avoid topping.

NE-115 Design City capital improvement projects to preserve trees to the maximum extent possible.

NE-117 Preserve trees within stream wetlands, and their associated buffers, and lake building setbacks.

NE-123 Establish private maintenance provisions for trees that will be retained within developments.

3. Potential general impacts to the natural environment, such as impacts to critical areas and other natural resources, including whether development will be directed away from environmentally critical areas and other natural resources.

The proposed amendments will not negatively impact the natural environment, including impacts to critical areas and other natural resources. In fact, updating the tree regulations ensures continuity with environmental protection. Increasing tree replacement ratios will help ensure tree replacement addresses ecosystem services provided by trees over time.

4. Potential general impacts to the capacity of public facilities and services. For land use related amendments, whether public facilities and services can be provided cost-effectively and adequately at the proposed density/intensity.

The proposed amendments are an update of existing tree regulations and will not affect the capacity of public facilities and services in Redmond.

5. Potential general economic impacts, such as impacts for business, residents, property owners, or City Government.

No new impacts are anticipated for businesses, residents, property owners, or City Government.

- 6. For issues that have been considered within the last four annual updates, whether there has been a change in circumstances that makes the proposed amendment appropriate or whether the amendment is needed to remedy a mistake.**

These amendments have not been considered in the last four annual updates.

Redmond Comprehensive Plan Policies PI-11 and PI-19 provide direction to the City regarding updating of zoning code regulations. The following is an analysis of how this proposal complies with the requirements for amendments.

- 1. Ensure that development regulations, functional plans, budgets, and other implementing measures and actions are consistent with and reinforce the Comprehensive Plan (PI-11).**

The proposed tree protection regulations are consistent with and reinforce the Comprehensive Plan, particularly the policies under the Tree Preservation and Landscape Enhancement subsection of the Natural Environment Element (Policies NE-112, NE-113, NE-114, NE-115, NE-117, and NE-123 as noted above).

- 2. Prepare and maintain development regulations that implement Redmond's Comprehensive Plan and include all significant development requirements. Ensure that the development regulations are clearly written, avoid duplicative or inconsistent requirements, and can be efficiently and effectively carried out (PI-19).**

This proposal involves updating existing tree protection regulations to provide clarity and avoid inconsistent requirements and execution. The proposed regulations are in alignment with the Comprehensive Plan and the City's Strategic Vision.

V. AUTHORITY AND ENVIRONMENTAL, PUBLIC AND AGENCY REVIEW

A. Amendment Process

Redmond Zoning Code (RZC) 21.76 requires that amendments to the Comprehensive Plan and Zoning Code be reviewed under the Type VI process. Under this process, the Planning Commission conducts a study session(s), an open record hearing(s) on the proposed amendment and makes a recommendation to the City Council. The City Council is the decision-making body for this process.

B. Subject Matter Jurisdiction

The Redmond Planning Commission and the Redmond City Council have subject matter jurisdiction to hear and decide whether to adopt the proposed amendment. (RZC 21.76.050.K)

C. Washington State Environmental Policy Act (SEPA)

A SEPA checklist was prepared and a Determination of Non-Significance was issued for this non-project action on 2/10/2021. The comment period expired on 2/21/2021 and the appeal period expired on 3/11/2021. No comments or appeals were received. (See Exhibit G).

D. 60-Day State Agency Review

State agencies were sent 60-day notice of this proposed amendment on 1/25/2021. (See Exhibit H)

E. Public Involvement

As noted earlier in this report, the public has been provided opportunity to help inform the drafting of the proposed regulations through the Let's Connect questionnaire and the virtual office hours. Written public comments to date are attached as Exhibit I. More formal public opportunities to comment on the proposed amendment will occur through the Planning Commission review process and public hearing which will be held on 11/10/2021. Public notice of the hearing will be published in the Seattle Times on 10/20/2021. Notice of the Planning Commission hearing will be posted in City Hall and the Redmond Library on 10/20/2021. Hearing notice is also given on the Planning Commission agendas and extended agendas. In addition, notice of the hearing will be put on the Tree Regulations Update Let's Connect webpage. Lastly, all parties of interest will receive an email or mailed hearing notification.

F. Appeals

RZC 21.76 identifies Zoning Code Amendments as a Type VI permit. Final action is by the City Council. The action of the City Council on a Type VI proposal may be appealed by filing a petition with the Growth Management Hearings Board pursuant to the requirements of the Board.

VI. LIST OF EXHIBITS

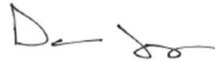
Exhibit A:	Proposed RZC 21.72, Tree Regulations
Exhibit B:	Proposed RZC 21.78, Definitions
Exhibit C:	Tree Regulations Crosswalk Table
Exhibit D:	Surrounding Jurisdictions Tree Regulations Comparison Table
Exhibit E:	Let's Connect Summary Table
Exhibit F:	Virtual Office Hours Notes
Exhibit G:	SEPA Documentation

Exhibit H: Department of Commerce 60-Day Notice
Exhibit I: Written Public Comments
Exhibit J: Current RZC 21.72, Tree Protection

Conclusion in Support of Recommendation: The Technical Committee has found the proposal to be in compliance with the Redmond Zoning Code, Redmond Comprehensive Plan, Redmond Municipal Code, and State Environmental Policy Act (SEPA).



CAROL V. HELLAND, Director
Planning and Community Development



DAVID JUAREZ, Director
Public Works

RZC 21.72 TREE ~~PROTECTION~~REGULATIONS**21.72.010 Purpose and Intent**

A. The purpose of this chapter is to:

1. Avoid the removal of stands of trees and significant trees in order to maintain the quality of Redmond's urban environment;
2. Protect stands of trees and significant trees to the maximum extent possible in the design of new buildings, roadways, and utilities;
3. Mitigate the environmental and aesthetic consequences of tree removal in land development through on-site and off-site tree replacement to achieve a goal of no net loss of trees throughout the City of Redmond;
4. Provide measures to protect trees that may be impacted during construction;
5. Support the Tree Canopy Strategic Plan by monitoring canopy changes against a citywide target of 40% coverage over 30 years.
- 5.6. Support the Environmental Sustainability Action Plan; and
- 6.7. Maintain and protect the public health, safety, and general welfare; and.

B. The intent of this chapter is to achieve a treed vision for the City through a combination of tree retention and tree replacement compatible with supporting density, housing and jobs in the adopted Community Strategic Plan and Comprehensive Plan.

21.72.020 Benefits and Values of Trees

A. Trees provide innumerable benefits and values that are woven into the fabric of the community. It is critical to 6. — Preserve—preserve the aesthetic, ecological, and economic benefits of forests and tree-covered areas in Redmond~~7. These benefits which~~ include:

- a.1. Providing varied and rich habitats for wildlife;
- b.2. Absorbing greenhouse gas emissions;
- c.3. Moderating the effects of winds and temperatures;
- d.4. Stabilizing and enriching the soil;
- e.5. Slowing runoff from precipitation and reducing soil erosion;
- f.6. Improving air quality;
- g.7. Improving water quality;
- h.8. Masking unwanted sound;
- i.9. Providing visual relief and screening buffers;
- j.10. Providing recreational benefits;
- k.11. Enhancing the economic value of developments; and
- l.12. Providing a valuable asset to the community as a whole.

21.72.060-030 Tree Management ~~Protection~~Standards

A. Tree Impacts, Approach

1. All adverse impacts to significant trees and landmark trees shall be mitigated. Mitigation actions by an applicant or property owner shall occur in the following sequence:
 - a. Avoid impacts altogether by not removing trees;

- b. Minimize impacts by retaining as many trees as possible and taking affirmative steps, such as project redesign, to reduce impacts;
- c. Mitigate for the impacts associated with removed and impacted trees by replacing these trees on-site;
- d. Mitigate for the impacts associated with removed and impacted trees by replacing trees off-site;
- e. Compensate for the impact by paying a fee-in-lieu for replacement trees; and
- a.f. Monitor the success of any mitigation and take remedial action when necessary.

B. Tree ~~Protection~~Regulation, In General.

- 1. In all developments, a minimum of 35 percent of all significant trees shall be ~~retained~~protected consistent with the sequencing requirements of RZC 21.72.030.A.
- 2. Street trees within existing developed or undeveloped public rights-of-way are not included as part of the overall protected significant tree count for the purposes of meeting the 35 percent requirement on private property proposed for development.
- 3. Trees that are located within Native Growth Protection Areas/~~Easements~~, critical areas, and their associated buffers as provided in RZC 21.64, Critical Areas, or that have otherwise been designated for protection shall ~~not only~~ be removed if they are deemed to be hazardous pursuant to paragraph 6 below. Exceptions to this standard shall be requested and reviewed in accordance with RZC 21.72.090, Exceptions.
- ~~2.4.~~ Impacted trees, as defined in RZC 21.78, do not count towards meeting the minimum tree protection requirements of this section. Impacted trees shall be subject to tree replacement requirements contained in RZC 21.72.040.
- ~~3.5.~~ Landmark Trees. Landmark trees shall ~~not be removed unless an~~only be removed through a ~~exception~~deviation per RZC 21.72.100 that has been applied for and granted.
- ~~4.6.~~ Hazardous Trees. Hazardous trees ~~or dead trees~~ posing a ~~hazard~~high or severe risk to structures or public infrastructure, outside of NGPAs, critical areas and buffers, ~~should may~~ be removed through a Tree Removal Permit per RZC 21.72.060 or as part of the land use entitlement process. ~~and are not considered significant trees.~~ Hazardous trees require replacement pursuant to 21.72.040. Hazardous trees physically located within a NGPA/NGPE may not be removed. However, trees within a NGPA/NGPE that are within striking distance of a structure may be snagged to avoid potential damage to the structure and provide habitat benefit. The height of the snag shall be less than the striking distance to the structure. Tree remains after snagging shall be left within the NGPA/NGPE.
- 7. Trees removed with or without a permit within 24 months prior to submit~~ting~~al of a development application shall be counted towards tree removal totals for that development application.

C. Site Design Standards. This code section provides for identification of trees to be designated for protection. Site improvements shall be designed and constructed to meet the following standards:

- 1. Site improvements shall be designed to protect trees with the following characteristics, functions, or location, with priority given to protection according to the following itemshierarchy, arranged from most important to least important:

- a. Existing stands of healthy trees, with an emphasis on landmark trees, healthy long-lived species, native conifers, and other native species;
 - b. Trees providing habitat value, such as riparian habitat;
 - c. Trees having a significant land stability function;
 - d. Trees adjacent to public parks and open space;
 - e. Trees within the required yard setbacks or around the site perimeter; and
 - f. Trees that ~~have a provide~~ screening between higher and lower intensity zones and land uses ~~function or provide relief from glare, blight, or commercial or industrial harshness.~~
2. Trees whose trunk extends 50% or more over property lines shall not be identified as a retained tree unless the neighboring property owner grants and records an easement on their property for the retained trees. This is to avoid situations where saved trees are designated in a development only to be negatively impacted/damaged or removed when the neighboring property is developed. Trees whose trunk extends 50% or more over rights-of-way shall not be identified as a retained tree.
 3. Avoid conflicts with trees and both underground and overhead utilities.
 4. In considering trees for protection, applicants and the City shall avoid, to the extent known, the selection of trees that may become hazardous because of wind gusts, ~~including trees adjacent to utility corridors~~ where falling trees may cause ~~power outages or other~~ damage. Remaining trees may be susceptible to blowdowns because of loss of a buffer from other trees, grade changes affecting the tree health and stability, and/or the presence of buildings in close proximity.

The applicant shall demonstrate in writing how the Site Design Standards 1-4 above have been met.

D. Grading and Proximity to Structures, Utilities, and Roadways.

1. To ensure that structures, utilities, and roadways are located an adequate distance from the drip line of a protected tree to allow adequate room for construction activities, the construction limit line for a structure, utility, or roadway shall be ~~located~~ no closer than ~~five feet outside of the drip line~~ the critical root zone of a protected tree, subject to the following:-
 - 2.a. ~~No proposed structure, utility, or roadway shall be located within five feet of the drip line of a protected tree, except where such structure is a~~ A raised deck, bay window, or cantilevered element or other ~~wise~~ raised structure above the ground's surface may be located within the critical root zone of a protected tree provided that element will so as not to disrupt the tree's roots.
 - 3.b. Sidewalks and utilities may be located within the ~~drip line~~ critical root zone of a protected tree, provided that construction methods and materials used will result in minimal disruption of the tree's roots, and that additional measures for tree protection and utility protection are proposed and approved which will ensure the long-term viability of the tree. This shall be documented in a report by a certified arborist.
 4. ~~The Administrator may allow construction limits or an alteration of grades within five feet of the drip line of a protected tree, provided that the applicant submits an evaluation by a~~

~~certified arborist which demonstrates that the proposed construction will not reduce the long-term viability of the tree.~~

5.c. The Administrator may require an evaluation by a certified arborist to determine if protective measures should be required beyond ~~five feet of the drip line~~ the critical root zone of a protected tree.

E. Designation of Protected Trees.

1. The tree protection and replacement plan and any application and permit plans that cover such areas shall show all trees designated for protection. These areas may be shown by labeling them as “protected trees,” “Native Growth Protection Areas,” “Native Growth Protection Easements,” “critical areas,” “critical area buffers,” or such other designation as may be approved by the Administrator. ~~Protected vegetation, including~~ Protected trees, shall not be modified, harmed, or removed except as provided in this section.
2. Tree Protection Tracts
 - a. Tree protection tracts, or other similar mechanisms as deemed appropriate by the Administrator, shall be used to delineate and protect contiguous areas of protected trees.
 - b. Tree protection tracts shall be recorded on all documents of title or record for affected lots.
 - c. The City may require that any tree protection tract be held in an undivided interest by each owner of a building lot within the development, with the ownership interest passing with ownership of the lot, or held by an incorporated homeowners’ association, or other legal entity which assures the ownership, maintenance, and protection of the tract.
3. Tree Protection Markers and Signs
 - a. The boundary at the outer edge of the tree protection tract or easement shall be delineated with permanent survey stakes, using iron or concrete markers as established by local survey standards.
 - b. The boundary at the outer edge shall be identified with temporary signs prior to any site disturbance. The temporary signs shall be replaced with permanent signs prior to occupancy or use of the site. The number and spacing of permanent signs shall be designated by the Planning Department.
4. Notice on Title
 - a. In order to inform subsequent purchasers of real property of the existence of protected trees, the owner of any property containing a tree protection tract on which a development proposal is submitted shall file a notice with the King County Department of Records and Elections. The notice shall state the presence of protected trees on the property, of the application of the Tree Regulations to the property, and the fact that limitations on actions in or affecting protected trees may exist. The notice shall run with the land.
 - b. The applicant shall submit proof that the notice has been filed for public records before the City approves a building permit or, in the case of subdivision of land or binding site plans, at or before recording.

F. Incentives for Higher Levels of Tree Protection.

1. The Administrator may grant adjustments to site development standards for developments on which ten or more healthy significant trees per acre exist ~~acre~~, as follows:
 - a. Developments that preserve 40 percent or more of the healthy significant and landmark trees shall be entitled to the Administrative Design Flexibility provisions for residential or commercial properties as outlined in RZC 21.76.070.C, Administrative Design Flexibility.
 - b. Developments that preserve 40 percent or more of the healthy significant and landmark trees shall be entitled to incentives through the Green Building Incentive Program in RZC 21.67- under the Native Vegetation Retention technique pursuant to {RZC 21.67.050.C}.

21.72.080-040 Tree Replacement

- A. Prior to any tree removal, the applicant shall demonstrate through a tree ~~protection-retention~~ and replacement plan, critical area mitigation plan, or other plans acceptable to the Administrator that the tree cannot be retained and tree replacement will meet the minimum standards of this section. If tree retention is not practicable, Priority for tree-replacement trees shall be located according to the following hierarchy, arranged from highest priority to lowest priority is as follows: on-site, off-site, then fee-in-lieu. Refer to RZC 21.72.0840.D and E for locational requirements.

B. Replacement Required.

A significant tree to be removed shall be replaced by ~~one-three~~ new trees ~~in accordance with subsection pursuant to paragraph RZC 21.72.080040.C of this section.~~ A significant tree that will be impacted shall be mitigated by planting one new tree pursuant to paragraph RZC 21.72.040.C. Trees that are removed which are classified as landmark shall be replaced by three-six new trees in accordance with subsection pursuant to paragraph RZC 21.72.080040.C of this section. A landmark tree that will be impacted shall be mitigated by planting three new trees pursuant to paragraph RZC 21.72.040.C. Hazardous trees shall be replaced by one new tree pursuant to paragraph RZC.21.78.040.C.

Trees impacted or removed as part of an approved critical areas mitigation plan do not require a separate tree replacement plan. Trees removed or impacted as part of within a critical area shall be mitigated in accordance with an approved critical areas mitigation plan.

No tree replacement is required ~~in the following cases: 1. The when the tree is hazardous, dead, diseased, injured, or in a declining condition with no reasonable assurance of regaining vigor provided documentation is accepted and approved by the City regarding the tree condition and the City concurs.~~

~~2. The tree is proposed to be relocated to another suitable planting site, provided that relocation complies with the standards in this section.~~

C. Replacement Specifications.

1. Minimum sizes for replacement trees shall be:
 - a. Two-and-one-half-inch caliper for deciduous trees; and

- b. Six feet in height for evergreen trees.
 2. The Administrator may consider smaller-sized replacement trees if the applicant can demonstrate that smaller trees are more suited to the species, the site conditions, and the purposes of this section, and that such trees will be planted in sufficient quantities to meet the intent of this section. This is particularly relevant for trees that are removed in a critical area as part of an approved critical areas mitigation plan. At a minimum, species size at installation shall be consistent with RZC Appendix A, Subsection G, Stream and Wetland Mitigation Plans.
 3. Replacement trees shall be primarily native species in order to restore and enhance the site as nearly as practicable to its predevelopment ~~character~~condition. Native species shall be consistent with the definition of Native Vegetation in RZC 21.78. Coniferous trees removed shall be replaced with coniferous trees. Deciduous trees removed may be replaced with either coniferous or deciduous trees. Additionally, a mix of slow-, medium-, and fast-growing replacement trees should be included in order to achieve both an early and long-lasting tree canopy. However, if an ornamental tree has been removed through a tree removal permit, it may be replaced with another ornamental tree.
 4. The condition of replacement trees shall be healthy and meet or exceed current American Nursery and Landscape Association or equivalent organization's standards for nursery stock as noted in American National Standards Institute (ANSI) Nursery Stock Standards by AmericanHort, 2014 or as amended.
 5. Installation.
 - a. Installation of required replacement trees shall be in accordance with best management practices for landscaping which ensure the tree's long-term health and survival.
 - b. All required tree replacement and other required mitigation shall be bonded per RZC 21.76.090.F.4 or completed prior to issuance of a building permit.
- D. **Location for Tree Replacement – On-Site.** Replacement trees shall be planted on the site from which significant trees are removed unless the Administrator accepts one or more of the alternatives set forth in subsection RZC 21.72.~~080040~~.E of this section.
- E. **Location for Tree Replacement - Alternatives.**
1. General. When on-site replacement cannot be achieved, the Administrator ~~may consider~~approve the following alternatives. The applicant shall include a written narrative demonstrating why tree replacement cannot be accommodated on-site and a discussion of the rationale for consideration of one of the alternatives set forth below. Criteria that must be contained in the narrative includes:
 - a. tree density;
 - b. existing plant competition;
 - c. tree species characteristics;
 - d. planting site conditions such as drainage, soil compaction, amount of light, slope, and space; and
 - e. any other factors that demonstrate there is no space on site trees can be planted where they can grow to maturity unimpeded.
 12. Off-Site Tree Replacement.

- a. The number of replacement trees shall be the same as described in subsection RZC 21.72.089040.B of this section, *Replacement Required*. Replacement costs (material plus labor) shall be at the applicant's expense.
 - b. Allowable sites for receiving off-site replacement plantings.
 - i. City- or county-owned parks within the City, open space areas, Native Growth Protection Areas (NGPA)/Native Growth Protection Easements (NGPE), or river and stream corridors within Redmond city limits, or lands controlled by the City. Priority is given to sites identified in the Tree Canopy Strategic Plan.
 - ii. Private open space which is permanently protected and maintained, such as a Native Growth Protection Area (NGPA)/Native Growth Protection Easement (NGPE).
 - c. All trees to be replaced off-site shall meet the replacement standards of this section.
- 23. Tree Replacement Fee.** A fee-in-lieu of tree replacement may be allowed, subject to approval by the Administrator ~~after careful consideration of all other options if~~ the applicant can demonstrate in writing why replacement trees cannot be accommodated on-site and why off-site tree replacement is not practicable. A tree replacement fee shall be required for each replacement tree required but not planted on the application site or an off-site location.
- a. ~~The amount of the fee shall be the tree base fee times the number of trees necessary to satisfy the tree replacement requirements of this section. The tree base fee shall cover the cost of a tree, installation (labor and equipment), maintenance for two years, and fund administration. The tree base fee shall be \$500 for each significant tree removed. The tree base fee shall be \$2,000 for each landmark tree removed.~~
 - b. The fee shall be paid to the City prior to the issuance of a tree removal permit or construction drawing approval.
 - c. Fees collected under this subsection shall be expended only for the planting of new trees in City-owned parks, open spaces, or ~~rights-of-ways~~ sites identified in the City's Tree Canopy Strategic Plan.
- 3. Landscape Restoration.** ~~Where appropriate, the Administrator may consider other measures designed to mitigate the loss of trees by restoring all or parts of the forest landscape and its associated benefits. Measures may include, but are not limited to:~~
- ~~d. Creation of wildlife snags from trees which would otherwise be removed;~~
 - ~~e. Replacement of certain ornamental trees with native shrubs and groundcover;~~
 - ~~f. Replacement of hazardous or short-lived trees with healthy new trees more likely to survive;~~
 - ~~g. Daylighting and restoration of stream corridors with native vegetation; and~~
 - ~~h. Protection of nonsignificant trees to provide for the successional stages of forest development.~~

F. Tree Replacement Guidelines and Requirements.

1. When individual trees or tree stands are protected, replacement trees should be planted to reestablish or enhance tree clusters where they previously existed;
2. Where possible, replacement trees should be planted within critical areas or buffers, provided that the proposed planting conforms to the requirements for mitigation of critical areas in RZC 21.64, *Critical Areas*. Replacement trees may be planted within an

existing NGPA/NGPE, where the Administrator determines that such planting enhances and complements existing vegetation and environmental functions;

3. Replacement trees shall be planted in locations appropriate to the species' growth habit and horticultural requirements;
4. Replacement trees shall be located away from areas where damage is likely or infrastructure integrity is compromised, based on the standards in RZC 21.72.060030.CD, *Grading and Proximity to Structures, Utilities, and Roadways*;
5. Replacement trees shall be located to provide screening of the development from adjacent properties, where appropriate;
6. Replacement trees shall be planted in areas that connect or are adjacent to Native Growth Protection Areas/Easements or other open space, where appropriate; and
7. Replacement trees shall be integrated into the required landscape plans, if any, for a development; and.
- ~~8. Replacement trees to be planted next to or under power lines shall be selected with consideration of the trees' maturation and maintenance requirements.~~

~~G. Relocation of Trees.~~

- ~~1. Trees designated as significant may be relocated to a new location on the property under the direction of a certified arborist;~~
- ~~2. With written permission, significant trees may be relocated to another private property or City owned property under the direction of a certified arborist;~~
- ~~3. Relocated trees, meeting the standards above, shall count toward the host property's 35-percent tree retention requirement; and~~
- ~~4. Trees relocated to an off-site property shall be exempt from requirements for tree retention plans, recording, bonding, or other assurances.~~

~~H. Supplemental Standards for the Marymoor Design District.~~

- ~~1. Intent. The intent of these supplemental standards is to focus tree preservation and replacement on increasing long-term, healthy tree canopy throughout the Design District. Increasing tree canopy supports the subarea stormwater management strategy and urban design objectives, and contributes to Redmond's overall green character.~~
- ~~2. Applicability. The standards in this subsection apply only to the Marymoor Design District and supplement other standards in this chapter. Where a conflict exists between this subsection and other parts of this chapter, this subsection shall control.~~
- ~~3. Tree canopy. Protected trees, replacement trees and trees in the adjacent public right-of-way must together provide a tree canopy covering 15 percent of the site area within 10-years of site redevelopment, regardless of how many replacement trees are required to achieve the canopy requirement. To comply with this standard the applicant must present a statement and analysis from a certified landscape architect or arborist demonstrating that the plan will meet this standard. If the number of replacement trees required to achieve the canopy requirement is less than would otherwise be required, the applicant shall have the option to plant at least half of the difference, contribute at least half of the difference to the tree replacement fund, or a combination of the two.~~
- ~~2. Replacement specifications.~~
 - ~~a. Evergreen trees shall constitute at least 25 percent of protected and replacement~~

- ~~trees combined.~~
- ~~b. Replacement trees shall be a mix of slow (up to six inches/year), medium (6-18 inches/year) and fast growing (more than 18 inches/year) species in order to achieve both early and long lasting canopy. Slow, medium and fast growing replacement trees shall each constitute at least 25% of the total number of replacement trees.~~
- ~~c. Replacement trees shall be located so as to maximize their long term health and growth potential, such as by locating them in large planted areas.~~
- ~~d. Trees with broad canopies should be located farther from buildings and other structures with which they could conflict, while more columnar trees are more appropriate closer to buildings and other structures.~~
- ~~3. Relocation of trees. To encourage on-site relocation and replacement of trees:~~
 - ~~a. Trees relocated to an off-site property shall not count toward tree retention calculations; and~~
 - ~~b. Trees replaced using the fee-in-lieu program shall be replaced at a three-to-one (3:1) ratio.~~

21.72.070-050 On-Site Tree Protection Measures

- A. Tree Protection Measures.** To ensure long-term viability of trees and stands identified for protection, permit plans, and construction activities shall comply with the following minimum required tree protection:
1. All minimum required tree protection measures shall be shown on the approved tree protection and replacement plan.
 2. All construction activities, including staging and traffic areas, shall be prohibited within the five feet of the drip line critical root zone of protected trees.
 3. Tree protection barriers shall be installed five feet beyond the drip line outside of the critical root zone of significant retained trees ~~to be protected~~ prior to any land disturbance. The location of these barriers shall be confirmed in the field by city staff prior to commencing site construction.
 4. Tree protection barriers shall meet the City's standard detail, ~~be a minimum of four feet high, constructed of chain link, or polyethylene laminar safety fencing or similar material, subject to approval by the Administrator.~~
 - 4.5. ~~Signs~~ On large or multiple project sites, the Administrator may also require that signs requesting requiring subcontractor cooperation and compliance with tree protection standards shall be posted at site entrances and visible for the duration of the project.
 - 5.6. Where tree protection areas are remote from areas of land disturbance, and where approved by the Administrator, alternative forms of tree protection may be used in lieu of tree protection barriers, provided that protected trees are completely surrounded with continuous rope or flagging and are accompanied by "Tree Save Area – Keep Out" signs.
- B. Preventative Measures.** In addition to the above minimum on-site tree protection measures, the applicant shall support tree protection efforts by employing, as appropriate, the following preventative measures, consistent with best management practices for maintaining the health of the tree. These measures shall be employed consistent with RZC Table 21.76.090, Performance and Warranty Assurances.:

1. Pruning of visible deadwood on trees to be protected or relocated;
2. Application of fertilizer to enhance the vigor of stressed trees;
3. Use of soil amendments and soil aeration in tree protection and planting areas;
4. Mulching over tree drip line areas; and
5. Ensuring proper water availability during and immediately after construction.

C. Alternative Methods. The Administrator may approve the use of alternative tree protection ~~techniques~~ method if the following criteria are met:

1. The method is recommended by a certified arborist with documentation that demonstrates how the proposal will achieve a superior outcome and meet the objectives of RZC 21.72.010, Purpose and Intent; and
2. The applicant can demonstrate that direct compliance with the regulations cannot be achieved without limiting reasonable use of the site. ~~a protected tree will be protected to an equal or greater degree than through the techniques listed above.~~

21.72.020-060 Permits Permitting Approach - Required

- A. Permit Required.** Except as provided in RCZ ~~21.72.030~~070, *Exemptions*, any person who desires to cut down or remove any significant tree, hazardous tree or any stand of trees, or who desires to conduct grading activities on a site that will result in the removal ~~of~~ of significant or hazardous trees, must first obtain a permit to do so from the Administrators provided in this section. Landmark trees hold special status and requests for their removal is governed under RZC 21.72.100, Deviations. Tree topping is not permitted and shall be considered removal of a tree. This does not include pruning of fruit trees to encourage the production of fruit. Tree removal associated with a development proposal shall follow the tree protection standards set forth in RZC 21.72.030.
- B. Developed Single-Family Lots.** The owners of a developed single-family lots must obtain a permit prior to removing any significant tree located on the lot and significant trees shall be replaced as provided in RZC 21.72.0840. Trees may be removed as follows:

Lots up to 10,000 square feet:	Up to 2 significant trees may be removed per year <u>365 days</u> .
Lots 10,001 square feet to 20,000 square feet:	Up to 4 significant trees may be removed per year <u>365 days</u> .
Lots 20,001 square feet to 30,000 square feet:	Up to 6 significant trees may be removed per year <u>365 days</u> .
Lots 30,001 square feet and greater:	Up to 8 significant trees may be removed per year <u>365 days</u> .

~~Provided that trees~~ Trees previously designated for protection or located within a Native Growth Protection Area (NGPA) or Native Growth Protection Easement (NGPE) may not be removed unless they are determined to be hazardous. These trees shall be snagged to provide habitat benefit. The height of the snag shall be less than the striking distance to structures. Tree remains after snagging shall be left within the NGPA/NGPE. Hazardous, ~~and dead, or otherwise dangerous~~ trees are not included in the limits on number of trees that may be removed pursuant to established by this section ~~paragraph~~. Documentation that the subject tree is dead must be provided to the City for concurrence. The Administrator may approve the removal of more trees in a given year than set forth above if the remaining trees would pose a hazard to life or property. Replacement trees shall be planted for each

significant trees and hazardous tree removed pursuant to RZC 21.72.040, Tree Replacement.

- C. **Other Developed Lots.** The owners of all other developed commercial, industrial, or multifamily lots must obtain a permit prior to removing any significant tree located on the lot. Permits ~~shall~~may be granted for the removal of no more than five significant trees per acre per ~~year~~365 days for the purposes of (a) thinning a heavily wooded area where remaining trees may benefit from the thinning and the site's forested look, value, or function is maintained, or (b) maintaining the site's landscaped areas. Trees previously designated ~~for protection~~as a protected tree or located within a Native Growth Protection Area or Native Growth Protection Easement may not be removed. ~~However, trees physically located within a NGPA/NGPE that are determined to be hazardous and pose a high or severe risk to nearby structures or public infrastructure located outside of the NGPA/NGPA may be snagged upon securing a Tree Removal Permit with the City pursuant to RZC 21.72.030. The height of the snag shall be less than the striking distance of a structure. Tree remains after snagging shall be left within the NGPA/NGPE.~~ Hazardous, ~~and~~ dead, ~~or otherwise dangerous~~ trees are not included in the limits established by this ~~section~~paragraph. ~~However, documentation that the subject tree is dead must be provided to the City for concurrence.~~ Replacement trees shall be planted for each significant trees and each hazardous tree removed pursuant to RZC 21.72.080040, Tree Replacement.
- D. **Undeveloped Lots Not Under Land Use Permit Review.** The owners of an undeveloped lots for which no land use application is pending must obtain a permit prior to removing any significant tree(s) or stands of trees on the lot. Removal of 11 or more significant trees requires clearing and grading approval, in accordance with RMC Chapter 15.24, *Clearing, Grading and Stormwater Management*. Tree removal under this category is subject to tree retention standards set forth in RZC 21.72.030 and tree replacement standards set forth in RZC 21.72.040. Trees removed within two calendar years prior to the submittal of a complete development application shall be counted towards tree removal totals for the development application.
- E. **Undeveloped Lots for Which Land Use Permit Applications Are Pending.** When tree removal is planned in conjunction with the construction of a new or expanded site or building, no separate tree removal permit is required, ~~but the tree~~Tree protection and replacement standards of this chapter ~~will~~shall be applied to the land use and civil construction permit applications s in addition to the other criteria found in this code.
- F. **Forest Practices Permittees.** Permittees under Class IV - General forest practice permits issued by the Washington State Department of Natural Resources (DNR) for the conversion of forested sites to developed sites are also required to obtain a tree removal permit from the City. For all other forest practice permits (Class II, III, IV – special permit) issued by DNR for the purpose of commercial timber operations, no land use permits will be issued for six years following tree removal.
- G. **Archaeological Sites.** Known archaeological sites are not to be disturbed, including tree root removal, unless authorized by the State Department of Archaeology and Historic Preservation

(DAHP) via a special permit, per RZC 21.30.070 and RCW 27.53.060.

- H. **Capital Improvements Projects.** Construction of Capital Improvement Projects (CIPs), other than public transportation and public utility systems, shall meet the requirements of these tree regulations. The project limit for a CIP can be either the fee-simple lot or the area of disturbance. The project limit shall be mutually agreed upon by the Administrator and the CIP project manager. For Capital Improvement Projects that do not require a land use entitlement, tree regulations compliance shall be demonstrated during the Civil Construction Drawing review process. Capital Improvement Projects that support habitat projects/activities shall be allowed to remove trees in critical areas consistent with an approved habitat restoration plan or rehabilitation plan. These habitat improvement projects shall follow the criteria in RZC 21.64, *Critical Areas Regulations*.
- I. **Public Transportation and Public Utility Systems.** Construction of public transportation and public utility systems shall protect significant trees to the maximum extent practicable, while still ensuring the efficient development of the applicable system. The project limit shall be mutually agreed upon by the Administrator and the CIP project manager. For public transportation and public utility systems that do not require a land use entitlement, tree regulations compliance shall be demonstrated during the Civil Construction Drawing review process.
- J. **Maintenance of Infrastructure.** Maintenance activities on infrastructure shall protect significant trees to the maximum extent practicable, while still ensuring safe operations. Tree removal undertaken as part of routine infrastructure maintenance shall be consistent with an applicable programmatic approval or shall require an over-the-counter Tree Removal Permit for the purposes of tree removal tracking and replacement.

21.72.030-070 Exemptions

- A. The following activities are exempt from obtaining a permit under this chapter:
1. Emergency activities necessary to remedy an immediate threat to public health, safety, or welfare. In the event of an emergency, City staff shall be immediately notified. Once the immediate threat has been addressed, a post removal permit will be issued and tree replacement shall occur per RZC 21.72.040, *Tree Replacement*.
 2. Routine maintenance of trees necessary to maintain the health of cultivated plants, to contain noxious weeds, or to remedy a potential fire or health hazard, or threat to public safety. Routine maintenance does not include the removal of significant trees.
 - ~~3. Removal of trees in easements and rights-of-way for the purposes of constructing public streets and utilities. Protection of trees shall be a major factor in the location, design, construction, and maintenance of streets and utilities. These improvements are subject to the purpose and intent of this division. Removal of significant trees shall be mitigated with on-site or off-site tree replacement as set forth in the requirements of RZC 21.72.080, *Tree Replacement*.~~
 3. Removal of dead trees. Documentation that the subject tree is dead must be provided to the City for concurrence. The administrator may require assessment from a certified

arborist.

- B. Nothing in this section shall be interpreted to allow the removal of trees or other vegetation within critical areas or critical area buffers, where prohibited under [RZC 21.64, Critical Areas](#), or in Native Growth Protection Areas [or Native Growth Protection Easements](#). [Trees that are determined to be hazardous and threaten nearby structures outside of the NGPA/NGPE may be snagged upon consultation with and approval by the City per RZC 21.72.030.B and RZC 21.72.060. Tree remains after snagging shall be left within the NGPE/NGPA.](#)
- C. [Nothing in this section shall be interpreted to allow tree root removal on known archaeological sites unless authorized by the State Department of Archaeology and Historic Preservation via a special permit, per RZC 21.30.070 and RCW 27.53.060.](#)

21.72.040-080 Application Requirements

The Administrator shall specify application submittal requirements, including the type of plans, level of detail and numbers of copies to be submitted. [If applicable, a tree removal permit An-application](#) fee shall be paid at the time of application in an amount established in the City's fee schedule.

21.72.050-090 Permit Review Criteria

- A. **Review Criteria.** The Administrator shall review all tree removal permit applications and [may](#) approve the permit, or approve the permit with conditions, provided that the application demonstrates compliance with the criteria below:
1. The proposal complies with RZC [21.72.060030](#), [Tree Protection-ManagementStandards](#), and RZC [21.72.080040](#), [Tree Replacement](#), or has been granted [an-exceptiona deviation](#) pursuant to RZC [21.72.090100](#), [ExceptionsDeviations](#).
 2. All bonds or other assurance devices required per RZC [21.76.090.F](#), [Performance Assurance](#), are posted with the City.
- B. **Professional Evaluation.** In determining whether a tree removal permit is to be approved, [denied](#) or conditioned, the Administrator may require the submittal of a professional evaluation and/or a tree protection plan prepared by a certified arborist, where the Administrator deems such services necessary to demonstrate compliance with the standards of this chapter. Such professional evaluation(s) and services [may-includeshall adhere to the Tree Analysis Report Requirements pursuant to RZC Appendix 10.-](#)
1. [Providing a written evaluation of the anticipated effects of proposed construction on the viability of trees on a site;](#)
 2. [Providing a hazardous tree assessment;](#)
 3. [Developing plans for, supervising, and/or monitoring implementation of any required tree protection or replacement measures; and/or](#)
 4. [Conducting a post-construction inspection and evaluation.](#)
- B.C. **Conditions of Approval.** The Administrator may specify conditions for work, at any stage of the application or project as [he/she-deemsed](#) necessary to ensure the proposal's compliance with requirements of this [divisionsection](#), the Critical Areas regulations, [clearingClearing](#),

~~grading~~Grading, and ~~stormwater~~Stormwater managementManagement regulations, or to protect public or private property. These conditions may include, but are not limited to, hours or seasons within which work may be conducted, or specific work methods.

21.72.090-100 ExceptionsDeviations

- A. **Exceptions-Deviations Authorized.** Where exceptional conditions exist that prevent full compliance with RZC 21.72.060030, Tree ~~Protection-ManagementStandards~~, and/or RZC 21.72.080040, Tree Replacement, the applicant may request ~~an exception~~a deviation. A request for any ~~exception-deviation~~ shall be submitted in writing by the property owner ~~or applicant~~ for consideration by the Administrator and shall accompany the application for a permit reviewed under this section. The written request shall fully state all substantiating facts and evidence pertinent to the ~~exception-deviation~~ request ~~and~~, include supporting maps or plans, ~~and explicitly address the deviation criteria below~~. The Administrator may also require the recommendation of a certified arborist in reviewing ~~an exception~~a deviation request.

A deviation request is required for each tree requested to be removed below the 35% tree retention threshold and ~~each~~any tree classified as landmark tree-requested to be removed. The applicant shall demonstrate in writing how each tree meets the deviation criteria below. Deviations sought in combination with a development application shall be processed concurrent with the development application. Deviations sought for a tree removal permit shall be processed with the tree removal permit.

- B. **Exception-Deviation Criteria.** ~~An exception~~A deviation shall ~~not~~may be granted ~~unless if all the~~ criteria in B.1, B.2, B.3, and B.4-of this subsection are satisfied:

1. The ~~exception-deviation~~ is necessary because:
 - a. There are special circumstances related to the size, shape, topography, location, or surroundings of the subject property; or
 - b. Strict compliance with the provisions of this code may jeopardize reasonable use of property; or
 - ~~c. Proposed vegetation removal, replacement, and any mitigating measures proposed are consistent with the purpose and intent of the regulations; or~~
 - ~~d. The granting of the exception or standard reduction will not be detrimental to the public welfare or injurious to other property in the vicinity; or~~
 - e.c. The strict compliance with the provisions of this code would ~~be in~~ conflict with the increased density of urban centers or the Marymoor Design District and result in development that would be inconsistent with the adopted vision for the neighborhood.
2. ~~If an exception is granted below the required minimum retention standard of 35 percent, tree replacement shall be at a minimum of three trees for each significant tree removed. With the exception of developments in the urban centers or Marymoor Design District, the minimum tree preservation standard shall not go below 35% unless it diminishes or results in no reasonable use of the property. Tree replacement ratios may be modified for~~

~~master plans within urban centers and local centers to allow for 1:1 replacement when accompanied by a three-tier vegetative replacement plan. In the Marymoor Design District, rather than increase the tree replacement ratio, the canopy coverage requirement in RZC 21.72.080.H.3 shall be increased to 20 percent of the site area. When the total number of replacement trees required to meet the canopy requirement is less than the number that would otherwise be required by this paragraph, the applicant shall plant the trees that would otherwise be required on-site or contribute the difference to the tree replacement fund, or a combination of the two.~~

- ~~3. Native Growth Protection Area (NGPA). Trees within an established Native Growth Protection Area shall not be removed, except when removal has its specified purpose:~~
 - ~~a. To remedy a hazardous tree;~~
 - ~~b. To establish a nonmotorized trail as part of a private environmental interpretation program or City of Redmond trail system;~~
 - ~~c. To relocate or consolidate existing trails for the purpose of controlling human impacts to vegetation;~~
 - ~~d. To stabilize slopes;~~
 - ~~e. To add or restore native plants;~~
 - ~~f. To control and replace nonnative vegetation;~~
 - ~~g. To restore degraded watercourses or wetlands; or~~
 - ~~h. To implement a City of Redmond long-term restoration or management plan.~~
3. Granting of the deviation will not be detrimental to the public and the proposed development is in alignment with the adopted Council Strategic Plan, Mayoral Vision, and Comprehensive Plan.
4. Proposed tree removal, replacement, and any mitigation proposed are consistent with the purpose and intent of this section. This shall be documented in writing by the applicant or landowner.

Tree replacement for projects granted a deviation shall be at a minimum of three trees for each significant tree removed and six trees for each ~~landmark~~ significant tree meeting the classification of landmark tree removed.

21.72.100-110 Enforcement

A. **Application.** This section shall apply in addition to the provisions of RMC Chapter 1.14, *Enforcement and Penalties*.

B. **Remediation.** Any person who removes a tree in violation of the conditions of a tree removal permit or in violation of this chapter shall be subject to remedial measures, such as tree replacement requirements and fines. For the purpose of code enforcement, if a tree has been removed and only the stump remains, the size of the tree removed shall be the diameter of the top of the stump. The following provisions shall apply in instances where such remedial measures are required:

1. The applicant shall satisfy the permit provisions as specified in RZC ~~21.72.020~~060, Permits Permitting Approach Required.
2. Remedial measures must conform to the purposes and intent of this subsection. In addition, remedial measures must meet the standards specified in RZC ~~21.72.080~~040,

Tree Replacement, except that the number of replacement trees for significant trees damaged, destroyed, or removed shall be as follows:

Table 21.72. 100A110A Replacement Tree Requirements	
Size of Removed Tree	Number of Replacement Trees Required
6 inches	2
Greater than 6 inches to 9 ten inches	36
Greater than 9 ten inches to 12 20 inches	48
Greater than 12 20 inches to 16 30 inches	510
Greater than 16 30 inches	612

Replacement trees shall be replanted with trees as follows:

Table 21.72. 100A110B Replacement Tree Size	
Type	Size
Deciduous	3 inches in diameter at breast height (d.b.h.) 2-1/2 inch caliper
Evergreen	12-6 feet in height

3. Remedial measures must be completed within the time frame specified by the Administrator.
4. The cost of any remedial measures necessary to correct violation(s) of this chapter shall be borne by the property owner and/or applicant. Upon the applicant's failure to implement required remedial measures, the Administrator may redeem all or any portion of any security submitted by the applicant to implement such remedial measures, pursuant to the provisions of RZC 21.76.090.F, *Performance Assurance*.

C. **Penalties.** The Administrator may impose a penalty ~~of up to \$3,000~~ per tree for removal of or damage to significant and landmark trees in violation of this chapter. This amount shall be based upon appraised tree value per industry standard trunk formula method in the current edition of "Guide for Plant Appraisal" published by the International Society of Arboriculture. The penalty amount shall be doubled for tree removal contractors.

21.72. ~~110-120~~ Maintenance

- A. All required replacement trees and relocated trees shown on an approved permit shall be maintained in healthy condition by the property owner throughout the ~~life~~ required bonding period of the project, unless otherwise approved by the Administrator in a subsequent permit. Applicants proposing tree removal and replacement shall post the required bonds per RZC 21.76.090.F.4.
- B. **Cutting and Pruning.**
 1. Protected trees shall not be topped. Topping of trees shall be considered tree removal and shall be subject to remediation. This does not include pruning fruit trees to encourage the

production of fruit.

2. Street trees maintained by the City as part of the Street Tree Program shall be cut or pruned only under the supervision of the City ~~of Redmond Parks Department~~. All other street trees are governed under Section 21.32.090, *Street Trees* and RMC Chapter 6.12, *Noxious Weed Control and Tree Regulations*.
3. Pruning and maintenance of protected trees shall be consistent with best management practices in the field of arboriculture and further the long-term health of the tree.
4. Excessive pruning shall not be allowed ~~unless necessary to protect life and property~~ as it often results in new growth that has a weaker connection and is more likely to fail in the future.

EXHIBIT B

v.3

RELEVANT TREE DEFINITIONS FROM RZC 21.78

Bark. The protective outer covering of branches and stems that arises from the cork cambium.

Bracing. Installation of rods through portions of a tree for supplemental structural support.

Caliper. American Nursery and Landscape Association standard for measurement of trunk size of nursery stock. The diameter of the tree trunk measured at six inches above the ground for trees up to and including four-inch caliper size and twelve inches above the ground for larger trees.

Calipers. Instrument used to measure trunk size.

Certified Arborist. A person ~~or firm~~ with specialized training and knowledge of the horticultural requirements of trees, certified by the International Society of Arboriculture ~~or the National Arborist Association.~~

Critical Root Zone. The area of soil around a tree where the minimum number of roots considered critical to the structural stability or health of the tree are located. Defined as the tree canopy plus five feet.

Dead Tree. A tree that is no longer alive but is still standing.

Declining Tree. When a tree gradually loses vigor as displayed by poor growth, dieback of twigs and branches, early leaf drop for deciduous trees, and other signs of disease or environmental stress.

Diameter at Breast Height. The diameter of any tree trunk, measured at four and one-half feet above average grade. For species of trees whose normal growth habit is characterized by multiple stems (e.g., hazelnut, vine maple), diameter shall mean the average diameter of all stems of the tree, measured at a point six inches from the point where the stems digress from the main trunk. In no case shall a branch more than six inches above average grade be considered a stem. (SMP)

Diseased Tree. A tree with sustained and progressive impairment of the structure or function of the tree, caused by biotic or abiotic agents.

Drip Line. An area encircling the base of a tree, the minimum extent of which is delineated by a vertical line extending from the outer limit of a tree's branch tips down to the ground.

Girdling. Restriction or destruction of the vascular system within a root, stem, or branch that causes an inhibition of the flow of water and photosynthates.

Hazardous Tree. A tree that ~~is dead, or~~ is so affected by a significant structural defect or disease, that falling or failure appears imminent, or a tree that impedes safe vision or traffic flow, or that otherwise currently poses a threat to life or property.

Impacted Tree. A tree that is not being removed but which will have grading or construction within the critical root zone. An impacted tree is counted as a removed tree due to the inability to guarantee the tree and root system's health and viability.

Injured Tree. A tree that is wounded and the tissue is not repaired and does not heal.

Landmark Tree. Any healthy tree over thirty inches in diameter.

Native Growth Protection Area (NGPA). An area where native vegetation is preserved for the purpose of preventing harm to property and the environment, including but not limited to providing open space, maintaining wildlife corridors, maintaining slope stability, controlling runoff and erosion, and/or any other purpose designated by approval.

Native Growth Protection Easement (NGPE). An easement where native vegetation is preserved for the purpose of preventing harm to property and the environment, including but not limited to providing open space, maintaining wildlife corridors, maintaining slope stability, controlling runoff and erosion, and/or any other purpose designated by approval.

Native Vegetation. Those plants which are indigenous to the coastal Pacific Northwest. It does not include lawns, but does include native grasses, such as bunchgrass. (Resource for identifying native plants: Pojar, Jim and MacKinnon, Andy. Plants of the Pacific Northwest Coast: Washington, Oregon, British Columbia and Alaska. Redmond, WA: Lone Pine Publishing, 1994). (SMP)

Pruning. Selective removal of branches or roots to improve tree health, reduce risk or removal of dead wood.

Retained Tree. A tree that is remaining and which no construction or grading will take place within the tree's critical root zone. Also referred to as Saved Tree.

Removal. Removal of a tree(s) or vegetation, through either direct or indirect actions, including but not limited to clearing, cutting, causing irreversible damage to roots or trunks; poisoning; destroying the structural integrity; and/or any filling, excavation, grading, or trenching in the ~~drip line area~~ critical root zone of a tree which has the potential to cause irreversible damage to the tree, or relocation of an existing tree to a new planting location.

Significant Tree. Any healthy tree six inches in diameter at breast height (d.b.h.), or any tree four inches in diameter at breast height (d.b.h.) that, after considering its age, height, value, or function, the tree or tree stand is determined to be significant. (SMP). This term also applies Citywide.

Snag. An upright, dead or dying stump or trunk of a tree that provides habitat for a broad range of wildlife, from beetle larvae (and the birds such as woodpeckers that feed upon them) to dens for raccoons. (SMP)

Three Tier Vegetative Plan. A landscape plan prepared or approved by a certified landscape architect, certified nurseryman, or certified landscaper that includes groundcover, understory plantings, and trees.

Topping. Cutting the branches and/or leader of a tree in a manner that destroys the existing symmetrical appearance or natural structure of the tree and involves the removal of main lateral branches and leaving the trunk of the tree or major branches of the tree with a stub appearance. This does not include pruning fruit trees to encourage the production of fruit.

Tree. A self-supporting woody plant characterized by one main trunk or, for certain species, multiple trunks, with a potential at maturity for a trunk diameter of two inches and potential minimum height of 10 feet.

Tree, Stand. A group of three or more trees of any size or species, whose drip lines touch.

Understory Vegetation. Small trees, shrubs, and groundcover plants, growing beneath and shaded by a significant tree, which affect and are affected by the soil and hydrology of the area surrounding the significant tree roots.

EXHIBIT C

TREE REGULATIONS CROSSWALK

TOPIC	EXISTING REGULATIONS	PROPOSED REGULATIONS	Notes
Definitions		Adds several new relevant definitions: bark, bracing, calipers, critical root zone, dead tree, declining tree, diseased tree, girdling, impacted tree, injured tree, Native Growth Protection Easement (NGPE), pruning, retained tree, and topping. Modifies existing relevant definitions: caliper, certified arborist, hazardous tree, removal, and snag.	Adding Critical Root Zone in place of “drip line plus five feet” for defining the protected ground area around a significant tree. Removing “dead” from the definition of Hazardous Tree.
Hazardous Trees	Removal does not require a permit. Removal does not require replacement trees. Coupled with dead and dying trees	Removal requires a permit. Removal requires replacement plantings. Decoupled from dead and dying trees and language refined to address immediate hazards.	
Tree Management Approach	No clear approach or hierarchy for tree management.	Establishes tree management approach, similar to mitigation sequencing, for deliberate strategy on evaluating impacts to trees: avoid removing trees, minimize tree impacts by retaining as many trees as possible, rectify the impact by replacing trees at a higher ratio, compensating by paying a fee-in-lieu, and monitoring through the bonding period for planting success.	
Tree Removal Permits: Commercial	5 significant trees/acre per year	5 significant trees/acre per 365 days	
Tree Removal Permits: Residential	Varies with lot size: 2 trees/year for lots up to 10,000 sq. ft. 4 trees/year for lots 10,001-20,000 sq. ft. 6 trees/year for lots 20,001-30,000 sq. ft. 8 trees/year for lots 30,001 sq. ft. and larger	Varies with lot size: 2 trees per 365 days for lots up to 10,000 sq. ft. 4 trees per 365 days for lots 10,001-20,000 sq. ft. 6 trees per 365 days for lots 20,001-30,000 sq. ft. 8 trees per 365 days for lots 30,001 sq. ft. and larger	
Tree Retention for Development Projects	35%	35%	
Tree Replacement Ratios	1:1 for significant trees 3:1 for landmark trees	3:1 for significant trees 6:1 for landmark trees 1:1 for hazardous trees	Replacement ratios increased in response to early public input and to help address temporal loss of trees.
Fee-In-Lieu	Originally \$250 per replacement tree; currently \$98	\$500 for each significant tree removed \$2,000 for each landmark tree removed.	The fee was reduced when the City revised the fee schedule in 2019 as part of a fee study aligning cost with associated staff time. The study did not account for the cost of the replacement tree or impact of removal. This should not be happening. Fee-in-lieu increased in response to early public input and help address ecosystem loss. Fees included in regulations.
Exceptions	Currently called <i>Exceptions</i> . Requires written request but not specific on establishing how to address criteria. Includes unique criteria for Marymoor Design District. Includes removing trees in NGPAs.	Changes terminology to <i>Deviations</i> to be consistent with existing Zoning Code terminology. Requires specific documentation for requests. Clarifies deviation criteria for granting request. Eliminates supplemental regulations for Marymoor Design District.	

TOPIC	EXISTING REGULATIONS	PROPOSED REGULATIONS	Notes
Capital Improvement Projects	Removal of trees in easements and rights-of-way for the purposes of constructing public streets and utilities are exempt from obtaining a tree removal permit. Improvements are subject to the purpose and intent of the Tree Regulations. Removal of significant trees shall be mitigated with on-site or off-site tree replacement per the regulations.	Tree removal permits required for accountability and tracking. Tree regulations compliance for capital projects not requiring land use entitlement occurs during Capital Construction Drawing review process. Habitat project CIPs follow Critical Areas regulations.	
Penalties	Tree replacement requirements: 6", 2 trees >6"-9", 3 trees >9"-12", 4 trees >12"-16", 5 trees >16", 6 trees Financial penalties: Up to \$3,000 per tree removal of or damage to significant trees	Tree replacement requirements: >6"-9", 6 trees >10"-20", 8 trees >20"-30", 10 trees >30", 12 trees Financial penalties: Based upon appraised tree value per industry standard trunk formula method in the current edition of "Guide for Plant Appraisal" published by the International Society of Arboriculture. Penalty amount doubled for tree removal contractors.	Penalties/remediation measures increased in response to public criticism on code enforcement on trees. Enforcement is complaint based.
Tree Fund	Restricted to planting of new trees in City-owned parks, open spaces, or rights-of-way.	Still restricted to planting of new trees but expands locations to those sites identified in the City's Tree Canopy Strategic Plan.	

EXHIBIT D

Tree Regulations Comparison Table

	Redmond ⁱ	Kirkland ⁱⁱ	Sammamish ⁱⁱⁱ	Bellevue ^{iv}	Issaquah ^v	Renton ^{vi}	Woodinville ^{vii}
Tree Removal Permits Required	Yes	Yes	Yes	Yes (C&G Permit for R1 in Bridle Trails)	Yes	Yes (Routine Vegetation Management Permit)	Yes
Definition of Significant Tree	Any healthy tree 6 inches in diameter at breast height (DBH), or any tree four inches DBH that, after considering its age, height, value, or function the tree or tree stand is determined to be significant.	A tree that is at least 6 inches DBH as measured 4.5 feet from the ground. Viable Tree: A significant tree that a qualified professional has determine to be in good health, with a low risk in failure due to structural defects, is windfirm if isolated or remains as part of a grove, and is a species suitable for its location.	A tree that is in a healthy condition and is a noninvasive species, including those defined as a heritage tree and landmark tree, that is: (1) a coniferous tree with a diameter of 8” or more; or (2) a deciduous tree with a diameter of 12” or more DBH.	A healthy evergreen or deciduous tree, 8” or greater in diameter, measured four feet above existing grade.	A tree at least 6 inches or greater DBH or an alder or cottonwood tree 8” or greater DBH	A tree with a caliper of at least 6 inches, or an alder or cottonwood tree of at least 8 inches. Trees qualified as dangerous shall not be considered significant. Trees planted within the most recent ten years shall qualify as significant trees, regardless of the actual caliper.	An existing healthy tree which has a minimum DBH of 6”, as measured according to the most current published edition of the International Society of Arboriculture’s “Guide for Plant Appraisal.”
Definition of Landmark Tree	Any healthy tree over thirty inches in diameter.	Specimen Tree: A viable tree that is considered in very good to excellent health and free of major defects, as determined by the City’s Urban Forester.	Heritage Tree: A tree that is equal to or greater than 22” DBH. Landmark Tree: A tree that is equal to or greater than 32” DBH.		Heritage Tree: A tree or group of trees specifically designated by the City because of historical significance, special character, or community benefit. Landmark Tree: A tree greater than 30” DBH. Specimen Tree: A particularly impressive or unusual example of a species due to its size, shade, age, or any other trait that epitomizes the character of the species.	A tree with a caliper of 30” or greater.	Heritage Tree: A tree or stand of trees that is particularly desirable because it has valued, unique characteristics that set it apart from other similar trees. Valued, unique characteristics include uncommon genius, species, form, size, location, historic significance, or other desirable features.
No. of Trees Permitted to be Removed per Year (per 365 days)	2 trees for lots up to 10,000 sq. ft.; 4 trees for lots 10,001 to 20,000 sq. ft.; 6 trees for lots 20,001 to 30,000 sq. ft.; and 8 trees for lots 30,001 sq. ft. and greater.	2 trees/year	R1, R4, & R6 Zones: 2 trees/year or 50% of trees per 10 years for lots <.25 acres; 4 trees/year or 40% of trees per 10 years for lots .25 ac.-.5 ac.; 6 trees/year or 30% of trees per 10 years for lots .5 ac.-1 ac.;		2 trees/year and 4 trees per 5 years for lots up to 10,000 sq. ft.; 4 trees/year and 8 trees per 5 years for lots 10,001-20,000 sq. ft.; 6 trees/year and 12 per 5 years for lots 20,001 sq. ft. and greater	2 trees/year and 4 trees per 5 years for lots up to 10,000 sq. ft.; 4 trees/year and 8 trees per 5 years for lots 10,001-20,000 sq. ft.; 6 trees/year and 12 per 5 years for lots 20,001 sq. ft. and greater	2 trees per 12-month period or 4 trees per 24-month period.

	Redmond ⁱ	Kirkland ⁱⁱ	Sammamish ⁱⁱⁱ	Bellevue ^{iv}	Issaquah ^v	Renton ^{vi}	Woodinville ^{vii}
			8 trees/year or 20% of trees per 10 years for lots 1 ac.-2 ac.; 10 trees/year of 10% of trees per 10 years for lots >2 ac. R8, R12, R18, & Non-Residential Zones: 4 trees/year & 8 trees/5 years. [add cumulative # info.]				
Exemptions from Obtaining Tree Removal Permit	1. Emergency activities necessary to remedy an immediate threat to public health, safety, or welfare. 2. Routine maintenance of trees. 3. Removal of trees in easements and rights-of-way for the purposes of constructing public streets and utilities.	1. Emergency tree removal. 2. Utility maintenance. 3. Commercial nurseries or tree farms.	1. Emergency tree removal. 2. Removal of any tree in public utility easements or rights-of-way		1. Trees removed on existing single-family lots as noted above do not require a tree removal permit. 2. Removal of non-significant trees. 3. Removal of trees in association with rights-of-way and easements. 4. Tree removal in association with mineral extraction. 5. Emergency removal	1. Emergency situations. 2. Removal of dangerous trees. 3. Maintenance activities public or private utilities and roads or public parks. 4. Installation of SEPA exempt public or private utilities. 5. Existing and ongoing agricultural activities. 6. Commercial nurseries or tree farms. 7. Public road expansion. 8. Site investigative work. 9. Minor tree removal activities (i.e. mechanical equipment). 10. Landscaping or gardening. 11. Operational mining and quarrying. 12. Utilities, traffic control, walkways, bikeways within existing, improved rights-of-way or easements.	1. Any tree that poses a high or extreme risk according to ISA tree risk assessment. 2. Removal of trees by City or utility to avoid interruption of service. 3. A nursery or tree farm. 4. Removal of trees with a 2" DBH or less. 5. Removal of non-significant trees with a combined maximum of DBR of less than 40" within a 12-month period. 6. Trees within the public right-of-way and trees removed as part of a City construction project. 7. Remodels or maintenance activities that do not remove trees and do not alter or expand the footprint of a structure. 8. Tree removal in multifamily, commercial, industrial, and public/institutional zones. 9. Tree trimming, pruning, or maintenance.
Tree Retention Requirements for Developments	35% of all significant trees. Landmark trees shall not be removed unless an exception has been granted.	2 trees for single-family homes and 2/3 unit homes; Forestry Management Plan required for developed significantly wooded sites with 40% tree canopy that	50% significant tree retention for R1 zone; 35% retention for R4 & R6 zones; 25% retention for R8, R12, & R18 zones; No retention requirement for	Subdivisions, short subdivisions, and PUDs: Retain significant trees in the perimeter landscaping area; Retain 15% of the diameter inches on the site	<u>Minimum Tree Density Requirements</u> SF Lots: 2 significant trees per 5,000 sq. ft.	<u>Minimum Tree Density Requirements</u> SF Lots: 2 significant trees per 5,000 sq. ft. (R10 & R14 Zones exempt)	<u>Minimum Tree Density Requirements</u> R1 Zone: 70 tree credits per acre

	Redmond ⁱ	Kirkland ⁱⁱ	Sammamish ⁱⁱⁱ	Bellevue ^{iv}	Issaquah ^v	Renton ^{vi}	Woodinville ^{vii}
		are 35,000 sq. ft. or greater and that will remove more than two trees. <u>Minimum Tree Density Requirements</u> SF Development: 30 tree credits per acre. (Code has tree credit value table.)	non-residential zones.	other than in the perimeter landscaping area; Retain 30% of the diameter inches of significant trees on the total site area of development. Special requirements in Bridle Trails Subarea.	MF: 4 significant trees per 5,000 sq. ft. Commercial, Retail, & Facilities: 4 significant trees per 5,000 sq. ft. <u>Tree Retention Requirements for New Developments</u> SF: 30% of total caliper of all significant trees in developable site area. MF & Non-Residential: 25% of total caliper of all significant trees in developable site area.	MF: 4 significant trees per 5,000 sq. ft. (RMF Zone exempt) <u>Tree Retention Requirements for New Developments</u> 30% significant tree retention for low density residential zones up to R-8; 20% significant tree retention for high density residential zones; 10% significant tree retention for commercial and industrial zones	R4-R8 Zones: 50 tree credits per acre [Tree credits formula based on tree DBH.] <u>Tree Retention for New Residential Developments</u> 10% of tree density credits
Tree Replacement Requirement	1:1 for significant trees. 3:1 for landmark trees.	1:1 for significant trees.	1:1 for significant trees. 2:1 for heritage trees. 3:1 for landmark trees.	1:1	None if meet minimum tree density requirement. If not met, 1 replacement tree for every 6” of caliper at DBH of trees removed	12 caliper inches of new trees to replace each protected tree removed	
Replacement Tree Size Requirements	2 ½” caliper for deciduous trees. 6’ in height for evergreen trees.	2” caliper for deciduous trees. 6’ in height for coniferous trees.	2 ½” DHB for deciduous trees. 8’ in height for coniferous trees.	6’ in height	2” caliper for deciduous trees. 7-8’ in height for conifers. 5-gallon trees for existing single-family homes.	2” caliper or an evergreen at least 6’ tall,	2” caliper or greater for deciduous species. 6’ or taller for coniferous species.
Tree Retention Exceptions	Tree retention requirements do not apply in Urban Centers. Can request a special exception to the tree regulations.		Applicant can request a variance.	Tree retention requirements do not apply in Downtown Land Use Zones. Can request a modification to the tree regulations.	Tree retention requirements do not apply in Urban Villages. Can apply for a 50% reduction in tree requirements through a modification process.		Alternative compliance provisions.
Fee-in-Lieu Amount (Tree Fund)	\$250 per tree	Current market value of supplemental trees.			An amount of money approximating the current market value of the replacement tree and the labor to install them.	An amount of money approximating the current market value of the replacement tree and the labor to install them.	\$500 per tree credit
Remediation/Enforcement Tree Replacement Number Based on Size of Tree Removed	2 trees for a 6” tree; 3 trees for a 6-9” tree; 4 trees for a 9-12” tree; 5 trees for a 12-16” tree; and 6 trees for a greater than 16” tree		Up to \$5,000 penalty per occurrence.		Up to \$5,000 penalty per occurrence.	1:1 caliper inches	Cost based on city appraised tree value based on industry standard trunk formula method in the current edition of “Guide for Plant Appraisal.”

	Redmond ⁱ	Kirkland ⁱⁱ	Sammamish ⁱⁱⁱ	Bellevue ^{iv}	Issaquah ^v	Renton ^{vi}	Woodinville ^{vii}
Remediation/Enforcement Tree Size at Installation	3” DBH for deciduous trees. 12’ in height for evergreen trees.						

ⁱ RZC 21.72
ⁱⁱ KZC Chapter 95
ⁱⁱⁱ SZC Chapter 21.A.37
^{iv} BLUC 20.20.090
^v IZC Chapter 18.12
^{vi} RZC 4-4-130
^{vii} WZC Chapter 21.50

EXHIBIT E

LET'S CONNECT SUMMARY TABLE

Survey Questions

A significant tree is defined as any healthy tree six inches in diameter at breast height (d.b.h.), or any tree four inches in diameter at breast height (d.b.h.) that, after considering its age, height, value, or function, the tree or tree stand is determined to be significant. Should this definition be changed?

Yes = 34 respondents
No = 82 respondents

What do you suggest should be the definition for a significant tree?

Increase the size to 8"(1); 8-10"(1); 10"(2); 10-12"(1); 12"(4); 12-18"(1)
Several inches smaller (2)
Specify native trees.
Clarify second clause, "or any tree..."
Consider ecological and intrinsic value.
Add clause addressing that it doesn't pose danger to people or structures.
Suggest using "mature" versus "significant."
Size should be species dependent.

A landmark tree is defined as any healthy tree over 30" in diameter at breast height. Should this definition be changed?

Yes = 28 respondents
No = 87 respondents

What do you suggest should be the definition for a landmark tree?

10-12"(1); 18"(1); 20"(2); 20 or 25"(2); 24"(2); 25"(1); 26"(2); 40"(2); 48"(1)
Smaller(2)
Several inches larger (1)
Consider if tree is impeding on existing driveway or home.
Native trees and exclude non-natives and invasives.
Size should be species specific.
Include clusters (at least two) of trees 15" DBH.
Consider ecological value and intrinsic value of the mature tree canopy.
Consider health of tree, desirability of species, and location.
Retire the definition since the trees are at the end of their lifespan.

Tree removal permits are required for removal of significant trees. Do you agree with this practice?

Yes = 102 respondents
No = 18 respondents

Development proposals are required to retain 35% of the significant trees on the development site. Do you think the retention number should be higher, lower, or remain the same?

Higher = 71 respondents
Lower = 9 respondents
Remain the same = 37 respondents

You selected that the tree retention number should be higher than 35%. What percentage retention would you suggest?

38% (1)
40% (9)
40-45% (1)
45% (4)
45-50% (1)
50% (28)
50-75% (1)
55% (2)
60% (5)
70% (1)
75% (2)
100% significant trees; 50% of healthy trees
Depends on the site.
Consider different percentages for differing zones.
Depends on tree species.
Mature trees at 35%; landmark trees at 65%
Add incentives to keep as many trees as possible.

You selected that the tree retention number should be lower than 35%. What percentage retention would you suggest?

25% (3)
30-33% (1)
25% for urban areas
30% for non-urban areas
Dependent upon potential danger the tree poses to structures and people.
Depends on amount of trees on the property.
Should be case by case so as not to impede the goals of the Comprehensive Plan.

The City has a fee-in-lieu program where people can pay into a tree fund when they can't replace a tree on-site. The current fee is \$250. Should this fee be higher, lower, or remain the same?

Higher = 75 respondents

Lower = 13 respondents

Remain the same = 27 respondents

You selected that the fee-in-lieu program should be higher than \$250 per tree. What should the fee per tree be?

\$300 (2)

\$350 (1)

\$400 (4)

\$450 (2)

\$500 (17)

\$600(1)

\$750 (2)

\$1,000 (13)

\$1,500 (2)

\$2,000 (1)

\$2,500 (4)

\$3,000 (1)

Mature trees \$400, Landmark trees \$750

Landmark trees \$500

Landmark trees \$2,000 or more

\$1,000 or higher reflective of tree value based on size, age, species, and location

\$300 for homeowners, \$500 for developers

\$500 for private owner, \$1,000 for businesses and builders

\$500 for private residence, \$1,000-\$10,000 for developers dependent upon size and age of tree

\$500-\$1,000 for developers

\$1,000 per year until replacement tree equals size of removed tree

Depends on number of trees removed: hazardous tree no cost; 1-2 trees @ \$200 each and use multiplier for more; landmark tree \$1,000 and use a multiplier for more.

Cost of tree verified by materials and labor.

Cost to plant a mature tree.

Base cost on height of tree being removed.

Base cost on diameter of tree being removed.

Depends on size of tree being removed.

Same as the highest value in the region.

Need to be substantial amount so applicants seriously consider their options.

Enough to discourage people from buying their way out of keeping or replacing trees.

Percent of total DSH of site trees.

You selected that the fee-in-lieu program should be lower than \$250 per tree. What should the fee per tree be?

\$0 (3)

\$35 (1)

<\$100 (1)

\$100 (1)

\$100 for residences, \$250 for developers

Depends upon size and species of tree.

Developer shouldn't be allowed to pay into the fee-in-lieu program.

Don't believe in the program.

Is there anything specific you would like considered as part of the Tree Protection regulations update? (attempt to group)

Tree Retention/Protection

As forests mature, the number of large trees that can be supported diminishes. The regulations should recognize this reality. For example, if there are 250 trees on a 3 acre parcel, that may be appropriate for trees that are 5-20 years old. As the trees mature, that same 3 acre parcel may only be able to support 100 healthy trees. Is thinning to promote healthy trees encouraged? I think this would only apply to parcels with, say a tree density of more than 30-40 trees per acre.

Tree retention is important on steep hillsides, to maintain land and prevent mudslides. Neighbors below should be informed of tree removal if there is a slide danger.

Tree credit incentives to retain more trees (e.g. retaining trees with touching canopies gives those trees 1.25 X tree credit) - see Newcastle code

Cottonwood trees should not be included in protected trees.

How about adding an incentive for developers and homeowners to retain significant and landmark trees on their site?

I'd like to see more trees be required in new developments.

Actually require tree protection. None of the new developments have retained any of the original trees. Sure it is easier and cheaper to clear the land of anything living.

Reduce the size definition of "significant" tree.

It seems odd to lump all tree species into one category. It would probably be a mess of red tape, but couldn't we specify different d.b.h values depending on tree species? I imagine there are species whose trunk diameters would never prevent them from being cut. They just never get that big no matter how old they are.

Increased tree retention should win more building height and other loosening of building restrictions.

The natural landscape is what makes our city special. We should do everything possible to ensure our trees remain intact. If we wanted to live in a city dominated by multistory apartments, we would move to Bellevue. Please don't let development destroy our trees!

Some standing dead or dying trees are valuable to wildlife and people. If they do not pose a risk, they should be retained. Also, people use the term hazardous as a reason to remove trees that block their view or they want removed as not to deal with leaves, needles or litter. This needs closer review

SAVE THE TREES!!!!

Leave enough space so that the tree can develop into a healthy over 30" diameter tree in 50 years. Balancing growth and quality of life is a very difficult endeavor. Goal should be to provide for a high quality of life "where we live" environment.

More native trees. All these new condos have leafy trees. I moved here for the evergreen landscape and it's slowly disappearing (along with buildings that are too tall and block the view of trees anyway). I'd encourage growth of larger diameter trees onsite. I realize the rooting systems may be harder to deal with for developers, but I think it's worth it. It'll keep the buildings set back as well, which would be nice.

Canopy must be maintained.

A definition for trees between 6 and 30 inches.

Tree clustering or root touching proximity must be a priority as trees work together to fight pests, supply energy to young and trees weakened. Trees should be respected for their communities and needs to thrive.

Tree Removal

Do NOT allow redevelopment or development to clear cut the lots.

Make it easier to request and get approval to remove & replace significant trees that builders planted too close to buildings. Make it easier to request and get approval to remove and replace dead/dying trees, especially when replacing non-native trees with varieties that are better suited to our soil and climate.

Making sure people get permits, for one thing. Also, I have two neighbors who removed 4 trees from their properties legally but simultaneously, creating a very large open space and an unattractive view from the street. I think visible impact trees should be a category - it's one thing to take down a tree that may be a danger to your house in the next windstorm, another to take down a street tree just because he "got tired of clearing the drain." Maybe limit large trees to 1 per year and submit a picture showing proximity to the house.

Tighter restrictions on Planned Residential Developments, especially on removal of landmark trees.

100% of trees on a site that are invasive species must be removed using best management practices, with chemical pesticides/herbicides last-resort methods only to be used if other removal methods are not safe or effective.

Eliminate the removal of landmark trees for all new construction.

I think it's important to balance the reasons behind tree removal against other reasons. For example, if there was a site that needed to remove trees due to a bigger hazard, like the tree was destroying a utility pipe or septic system or there was a need to denude the site because of some other environmental hazard, then some sort of reduced cost or no cost option should be available. Doesn't mean that there shouldn't be tree replacement or buy in to plant trees elsewhere, but consider reduction of permit costs.

I believe site should be considered and the immediate environment. Is a site a habitat corridor, for example. Would removal of significant or landmark trees improve the health of the site by allowing more light and therefore growth of certain species of trees and crowd out invasives.

Require report from an arborist before any significant or landmark tree is removed.

Trees damaging/threatening infrastructure such as sidewalks or streets should be exempt from tree removal permits unless they're landmark trees (as if they were dead/diseased/dying.) They should be planted in a way to avoid these conflicts.

Removal and replacement of trees that result in sidewalk heaving downtown should be incented.

Removal per year must include a fee to have equal number of replacement trees planted elsewhere to include dead or hazardous trees.

Large private or commercial projects/ development must post to public proposed tree removal/replacement plan for comment period prior to approval.

Tree Replacement

I hear a rumor that replacement trees are just removed later to comply with the letter but not the spirit of the law, if this loophole exists, then it should be closed.

Offsite tree replacement/removal mitigation should be limited to no more than 50% of trees removed from a site, and in residential neighborhoods that number should be lowered to no more than 25%.

Replacement trees need to be native trees of the same species or type of tree that was lost, and arbovitae and similar species which are used as hedges or screens for blank walls shouldn't count as replacement trees. In other words, trees of a similar or better ecological value than the trees that were lost should be required.

Require replacement of trees on developing sites when the building is complete. Make them not only retain more trees, but plant new ones on site to offset the loss of trees to the building process. Sequester more land for parks with trees.

The tree replacement formula needs updating. As I understand it, the current formula is quantity-based (e.g. x new trees for each significant or landmark tree that is replaced). But a couple of small trees in no way replace the habitat, beauty, etc. of large landmark trees. Instead of a quantity-based formula, I think the Redmond city arborists/tree specialists create a replacement formula that does a better job of replace the "volume" of the tree. For example, use a rough formula that says for each inch of the diameter of a tree, it should be replaced by x number of new trees (e.g. a 40in diameter tree should be replaced by x numbers of trees whose combined diameter is 40 inches).

If trees are removed from private property for a city-run or county-run project, trees must be replaced on the property unless homeowner explicitly agrees to replacement elsewhere in the city.

When trees are removed for public works projects they should be replaced in the area where they have been removed. For example the ne51st project removed 150 trees, but only a few have been replaced. All should be replaced in the Overlake neighborhood. The same applies to the Group Health development.

I feel that if you cut down a significant or landmark tree, then you should plant more brand new trees that would be equivalent to what that one large, developed tree would have given to the neighborhood. For example if a large, developed tree gives out say 10 units of oxygen and new sapling trees only give out say 5 units of oxygen, then a developer(whomever) should be required to plant two sapling new trees for every one large, developed tree. If a large tree gives out 10 units and new trees only give out 3 units, then they should be required to plant 3 new trees then to replace one large tree and so on.

I think it should be more nuanced and include replacement trees and potential planting elsewhere.

The current plan has been a joke because trees have easily been removed and replaced with saplings that will take a century to grow to a similar point of value to our environment.

Require monitoring of replacement trees for a longer period after planting.

Tree must survive 5 years after project or at replacement site or owner must replace. Or you could build in a contingency that is returned if trees survive 5 years.

List out trees that can be planted or list out trees that will not count such as Arborvitae, for example.

Trees replanted must include space for them to live a 100 years or more. All trees planted should not be dwarf or short lived, but be planted to live long lives.

Fee-in-Lieu

Fee-in-lieu could be higher for commercial operations. They have much bigger purses.

I would either eliminate the fee-in-lieu program or make it really painful to cut down trees.

Do not allow developers to pay in-lieu. This is deforesting our city.☹

I'm more concerned with overall tree canopy than individual trees, but the fee-in-lieu money should actually be used to replant mature trees around Redmond.

Enforcement/Penalties

A stiff penalty for removing a significant or landmark tree without permitting.

Significant repercussions for those removing trees without proper permits or not replacing required number of trees in new developments.

Language around enforcement? How do we catch non-permitted removal of significant and larger trees and assess fines?

City should invest in regulation enforcement and prosecuting who cut down landmark trees.

Monitoring of tree mitigation sites for survivability over a 10 year period should be included in the quarterly tree retention updates currently proposed.

Consider requiring any company who does business with in Redmond to remove trees be required to get the permit or pay a significant penalty. Homeowners are totally oblivious to the fact they need a permit or replant. Many new homeowners are not native to the United States and they know nothing of trees. They simply do not want to do any clean up of debris, leaves or other droppings, and just remove trees because of that. And without permits.

Developers hate trees and may keep one on the property that does not survive after all the disturbing...I think significant trees should be alive 3-5 years post completion or fine is levied.

Enforcement will be monitored using aerial photography and fines will be administrate for non-compliance.

Education

All tree cutters, arborists and land-clearing companies working in Redmond must register with the city and acknowledge Redmond's tree regulations and permitting requirements.

As mentioned above... I see a lot of fully mature, beautiful, healthy trees being destroyed by ivy and morning glory take over. Many people don't recognize this hazard. I would like to see more education disseminated regarding this and the city/county actively remove it from public lands when a threat to the tree.

Tree Benefits

The trees that are lost are essential for clean air as well as supporting the ecosystems that exist here.

Tree retention should be top priority as the ecological impact and advantages of significant and landmark trees can't be achieved by younger trees. Habitat, nesting as well as ecological significance will not be maintained by smaller trees and the benefits are lost now and for future generations.

Patches of landmark trees should take precedent because of the life of the critters living in and among them and due to water retention it holds. Tree removal should not take place when birds are in the nesting phase. Germany enforces this and it's so wise.

Trees protect from erosion and landslide and air pollution.

Please consider wildlife and creek corridors. Birds and wildlife need to have corridors to travel between homes, areas and communities. Please make sure they are not removed for development.

Our trees are valuable to our environment, fighting global warming, homing wildlife, and esthetics.

Trees are important to our communities. Beyond the obvious direct benefits to humans (shade, beauty, ground retention, etc.), they also provide a home for wildlife. Please consider strengthening regulations that preserve our trees.

Sick or dying or hazardous trees are of value to wildlife.

Single Family Homeowners

When trees are on personal property, the owner should be able to remove them at will. Many times it is required to remove a healthy tree because the roots are encroaching on the property structure. Since the financial obligation of the property belongs to the owner, the owner should not need to ask the city for permission. If an owner does not want a tree, or the tree is encroaching on the sidewalk, gate, foundation of the home of the owner, this is not a city matter. That is government overstepping and valuing the tree over the rights of the individual.

Less restrictions for a homeowner vs a land developer.

Trees also cost home and property owners time and money to maintain them and to clean up the debris trees deposit on property, sidewalks, and streets. Some elderly or financially challenged home and property owners have difficulty maintaining the trees themselves or paying others to maintain the trees. I believe these factors should be included in the tree removal permit process, similar to consideration for 'danger' trees.

My experience is that homeowners are thwarted removing trees blocking their roofs, drainage systems etc. But I see developers clear-cut large areas to build tenements (the LUV development) with few deciduous trees. Your application of rules is very punitive to homeowners and open-ended to developers. Why not pursue a positive program to encourage homeowners to keep and/or replace problem trees, instead of charging and/or thwarting them?

We're forced to live next to huge trees that sway back and forth in winds or whose roots sit in watery wetlands, endangering our homes and the people in them. I think the safety of people and property should be prioritized over trees. Any tree within striking distance of a home or structure where people regularly are should be managed for safety, and if it needs to be cut down, it should be with no extra fees or delay.

Trees that obviously impair development of existing lots further should (close to the house, or stuck in the middle of the lot) should be able to be removed even if they are significant or landmarked trees.

Please verify the homeowner is submitting the permit and not the tree cutting service. Also verify the tree being removed is on the homeowner's property particularly when the tree is near the edge of a property.

Single family residential property owners should be allowed to remove any tree from their own property without restriction.

Yes, with climate change, risk of wildfires, and because we live next to an NGPA, I would like to remove the "replace tree" mandate. We are told by the City to not have any tree within 30 feet of our house. If we have to replace a tree, we'd have to plant it closer than 30 feet. I'd like to also be able to ask that any tree threatening our house be removed without having to get an arborist to say it's a danger. Any tree that is tall enough to fall over in an earthquake and hit our house should be up for removal if we feel insecure/worried enough to ask for permission to remove it. Wouldn't a photo work just as well as an arborist saying it's too near the house? An arborist can charge high fees, plus we'd have to pay for removal. Yes, I'm talking about healthy trees or half-dead ones, not totally dead. I am happy to discuss this/clarify further.

Miscellaneous

We know that we need to plant a trillion trees to replace all the deforestation. While we are just one small community, we need to be leaders and set a good example.

Redmond has nice vision words but it is clearly not preserving and protecting trees especially over the past 12 years. There needs to be a comprehensive analysis that results in a course correction. Staff's implementation is abysmal and is all about facilitating development in paving over all of Redmond with no regard for the people or the trees. Staff should have required reading of The Lorax!!!

Tree regulations should support goal of creating new, dense housing while maintaining current green space and canopy or returning logged spaces to green space and canopy.

Always consider and seek expert input and direction from our local Native American tribes.

Simplify the language so that an average citizen, who did not major in government-speak, can understand the regulation and not be intimidated by City of Redmond government.

Stop planting trees along the Sammamish River & Bear Creek. What happened to enjoying the waterways?

Protecting a tree here and there really doesn't matter if the city allows to mow down large forested areas for development such as Redmond Ridge that destroy thousands of trees, biodiversity, habitat for wildlife and pave over soil.

A green space with trees/shrubs/grass must be included in every commercial building permit.

Review spacing of trees/buildings for redevelopment of sites along with coverage regulations. Do our regulations encourage clearing an entire site to get max density. Is that consistent with environmental sustainability.

I would like the requirement for a certified arborist to be waived for neighborhoods repaving their roads. It is currently required because a "clear and grade" permit is the vehicle for making sure we don't pave over utilities and retain landmarks. But repaving a road poses no risk to trees and it is expensive and cumbersome to get.

Have regulation for end-of-life dying trees - especially ornamental trees such as dogwoods that die in our lifetime and need replacing

I would like to see a memorial tree program. People can donate to have a tree planted in the parks and greenbelts in memory of a loved one.

I am very upset with our utility company going up and down the streets maiming beautiful trees away from power lines without notifying home owners first. When they finished they took a quarter cut out just where the line was at. They destroyed my neighbors tree and the whole neighborhood was upset. She decided to take everything out and start over. This cost was a lot. I know the reasons for this but still this should have been public input. Since the name of this is tree protection, where was this when this happened?

How are the large new developments allowed to clear cut forests, like around Redmond Ridge area? I wish they actually kept 35% of trees, distributed throughout.

Try to work on reducing/adding new development & using existing treeless land or making existing developed land/buildings more efficient i.e. through upgrading or updating or making it more functional. Stop or significantly slow new development of land that isn't developed. Require businesses and/or residents to plant trees—volunteers first, then by lottery if necessary.

Trees take a long time to grow (many years), and the value we place on them should better reflect this fact about trees.

Just want to say that I love our trees and hope we continue to take good care of them.

I've been part of a group of unhappy neighbors who tried to draw City's attention to the illegality of development right next to a seasonal stream, up the hill from our house. This stream, now partially buried (by a landowner slightly downhill of The Timbers, who wanted to sell for development) is north of NE 51st between 162nd NE and 159th NE. As concerned neighbors, we had started by trying to ascertain which big trees the developer who was about to put in the "The Timbers" (what irony!) up the hill from us, would be able to remove. The answer turned out to be, they proceeded to cut most of them. The soil disturbance and removal of part of a stand, put tremendous stress on the trees that remained. We couldn't get any answers from the City about the apparent illegality of what the developer proposed to do, and had to try negotiating directly with the developer itself, including calling their attention to the seasonal stream. We got absolutely nowhere, except for an assurance that the stormwater vault they were installing would make up for removing trees and putting in houses, in terms of drainage downhill. (Downhill of this development, we live with seasonal swales over sidewalks as a result of the stream's natural course which surfaces in certain places in winter and spring. Indeed the swales did not get worse, so they told us the truth about that.) The developer did not quite laugh in our faces about our concerns about the trees and owl habitat, which the development eventually destroyed, but he was clearly impatient with our questions and knew that nobody would listen to us at the City. And, nobody did. If we had been able to get a City response to our concerns about the trees in the first place, maybe the planners there would have had to take a second look at the older maps of the hillside, and seen that there is a stream marked on them. It's a Class IV stream. I know this is a long story and I imagine some folks at the City got quite a headache from dealing with it, but it all started with trees and the neighbors' response to the proposed removal of a landmark cedar along what became the street into "The Timbers." So, specifically, I would like to see the City take seriously concerns about trees on land that is up for development. I know we're in a slowing economy and that some folks think that protecting trees and having a city arborist are luxuries. But this is a quality of life issue and a habitat issue. I also know that inside the Urban Growth Boundary it's assumed that development takes precedent, which is why developers can pay money to plant extra trees outside that boundary, and then proceed to cut more trees on the land under development. But trees aren't just private property. They're neighborhood assets. I think there should be a point person in the Planning Dept., for each proposed development, who will be informed about, and able to answer questions about, plans for the fate of existing trees on the land in question. Thanks for reading this long comment.

Requiring (I quote) "A complete survey of your lot with 1' contour markings and the location of every significant tree" is an obscene, expensive thing for a building permit that says plainly "the envelope of the house is changed, this is a repair", and "no trees will be involved". If I fall through my back steps, I will SUE Redmond for demanding I spent \$20,000 on a survey before I replace a set of steps in the same exact location. Do we understand each other?

EXHIBIT F

Tree Regulations Update August 19, 2020 Virtual Office Hours (10:30-11:30) Notes

City Hosts: Cathy Beam (Planning Dept.), Jeff Aken (Parks Dept.), and Tom Hardy (Public Works Dept.)

Attendees: Bud Wurtz, Jae Geller, Elin Lunner, David Morton, Casey Olsen (PSE), and Katherine Dennis

Bud Wurtz

- Mentioned the six strategies of the Tree Canopy Strategic Plan. [Jeff went over each of these and mentioned the tree regulation update is one of those strategies.]
- Talked about trying to save a cedar tree at Idylwood park.
- Believes it's too easy to take down trees
- Concern over disappearing tree policy.
- Need to tighten up when trees are allowed to be removed.
- Replacement trees aren't effective and may not be appropriate species and often die because they are not taken care of. Tiny saplings have no chance of survival and believes a good percentage of trees won't make it. [Tom mentioned the "root to shoot" ratio and that sometimes smaller trees survive better than bigger trees, and over the long term, when properly maintained.]
- Realizes the balance between progress and natural heritage.
- Education is badly needed; people are hostile towards trees.

Jae Geller

- Doing a lot of volunteer work and learning.
- Mentioned the Certified Wildlife Habitat program.
- Offered assistance and willing to help with the Tre Canopy Strategic Plan.
- Need to distinguish between native and non-native trees and how they relate to wildlife.

Elin Lunner

- New resident representing nine households in new construction area on the edge of Downtown (Sawyer Townhomes) adjacent to an area with trees and wildlife.
- Questions about what they can do if the trees have deadwood and how best to manage the trees.
- Tom mentioned the beautiful Native Growth Protection Easement (NGPE) to the north of the site. He saw racoons but also noted invasive weeds, such as ivy. He advocated for Homeowners' Associations (HOAs) to coordinate with the city on approaches to maintain these protected areas.
- Jae Geller mentioned she was willing to help Elin.

David Morton

- David submitted written testimony to Council last night which was shared with the Tree Team by the Mayor's office.
- Partner with organizations regarding tree canopy.
- He's a forest steward with the Green Redmond Partnership for Martin Park in SE Redmond. It's challenging because its next to Watson Asphalt. Doing blackberry removal but is conflicted due to berries for food and flowers for bees.

- There was a fence removed near Perrigo Park to open a patch of land. It's been planted with trees but now it's overgrown with blackberries. [Jeff addressed the work by Perrigo Park and would follow up with Parks Operations. Tom also mentioned with Covid-19 some of this maintenance work has slipped and said his Conservation Crews weren't working for a few months.]
- Mentioned there are some Ginkgo seedlings growing near the Evans Creek Trail
- Need to follow up with tree planting strategies.
- Antidotal stories that tree maintenance crews are getting permits – “giving away permits” – and that is not in sync with regulations.
- Appears the Growth Management Act (GMA) takes priority. It's the driving force to develop, develop, develop. [Cathy acknowledged the delicate balance with preserving trees and the many competing interests such as affordable housing, light rail, etc.]
- Tree haters believe trees are in the way and he's concerned about this attitude.
- Enforcement is an issue.
- Questions about the tree removal along Bear Creek north of SR 520 and the fate of remaining trees with Sound Transit's light rail coming through this area. [Tom provide information on the trees along SR 520 and the Washington State Department of Transportation's desire to snag them so they wouldn't fall onto the freeway. He also spoke to the Bear Creek Restoration Plan and the fact that the Sound Transit light rail alignment will require the removal of additional trees. Cathy and Tom also mentioned they didn't have the details on construction staging for the light rail project.]
- Optimistic that we'll reach the 40% tree canopy goal.
- Noted the Redmond Watershed Preserve accounts for a large chunk of the tree canopy and doesn't believe its part of the fabric of urban Redmond. [Jeff said the tree canopy without the Watershed is 33.1%.]
- Questioned whether the City has looked at annexing land for tree canopy. [Jeff mentioned there are no plans to annex for tree canopy.]

Casey Olsen

- Regarding plantings, inquired whether the city uses mats between plantings to shade out blackberries.
- Tom mentioned sometimes the City uses barriers, like mulch. Preferred method is to grub out weeds and follow-up on maintenance. Cardboard is a good alternative to black plastic and the City has used coffee bags from Cascade Coffee.

Katherine Dennis

- Watched neighbor move into a house with seven significant trees who subsequently took them down over a period of time within the permit limits.
- Not a lot the City can do on private property.
- Should be a way to inform people when they buy property with trees.
- Don't replace Douglas Firs with fruit trees.
- Mentioned the Sammamish River was an incredible project that took a straight treeless river and added trees.
- Also mentioned Perrigo heights reforestation where blackberries were removed, and the water system worked.
- More areas need to be planted in Parks.
- Questioned how to educate people so they understand the value of trees.
- When there is a windstorm, people want to cut down trees.

- Perhaps add an incentive to homeowners to not cut down trees.
- Tom mentioned education and incentives are good ideas. Typically, trees are “windsailed” to help with shedding branches.
- Spoke with an arborist and they now cut branches shorter versus windsailing the tree.
- There is a Garden Professors blog that suggests lots of woodchips is the key to keeping invasive species from taking over plantings.

Tree Regulations Update
August 19, 2020 Virtual Office Hours (2:30-3:30)
Notes

City Hosts: Cathy Beam (Planning Dept.), Jeff Aken (Parks Dept.), and Tom Hardy (Public Works Dept.)

Attendees: Andy Swayne (PSE), David Morton, Tom Hinman, Kerry Kriner (PSE), and Stan Haralson (PSE)

Andy Swayne

- Interested in topic with respect to utility maintenance.
- PSE has responsibility to ensure trees can be managed around utilities to provide service.
- Don't want trees to adversely impact the ability to deliver utility service.
- Realizes people love trees.

David Morton

- Directed comments to PSE regarding CENSE, Don Marsh and tree removal along 148th.
- Reflected on Tree Canopy Strategic Plan and whether there is an attempt to put trees in the Downtown Park. [Jeff mentioned the Downtown Park is fully planted with a mix of open space and trees.]
- Referenced Appendix A of the Tree Canopy Strategic Plan and had questions about the neighborhood outline and the Keller Farm. [Jeff responded that Appendix is a GIS analysis and a coarse assessment. Cathy shared information on the Keller Farm Wetland Mitigation Bank and the fact that it will have both upland and wetland plantings. Tom mentioned the Keller Farm is roughly 83 acres and about 60-70 acres will have vegetation 20 feet in height or greater.]
- Questions about Cadman gravel pits and noted a lot of multifamily buildings are migrating towards those areas. Questioned whether there are any tree canopy areas in competition with development. [Jeff answered yes as there are many competing interests. Roughly 50% of potential canopy areas are on private property.]
- Mentioned tax revenue of development and that Finance Department likely thinks it's better to not have open space. Looks like concern over bottom line revenue and assumes land use decisions are a factor in that. [Cathy mentioned Finance does not dictate land use and she's never ever heard that suspicious speculation come up before. Jeff mentioned cost comes into play when acquiring land.]
- Noted the Environmental Sustainability Action Plan doesn't have a whole lot of intention to plant trees, but rather intends to reach goals with PSE's compliance with the Clean Energy Transformation Act. Aspirational goal for tree plantings. [Cathy said she would check in with Jenny Lybeck on this.]
- With climate change, the effect on native trees is of concern with non-native invasive species. Should we be thinking in terms of different newer species of trees? [Cathy mentioned a conversation with Teresa Kluver in Parks regarding this topic. Jeff mentioned Parks Operations staff are looking into this. Tom said Parks is no longer planting Western Red Cedars and we may see more oak trees (such as Gary Oaks) as the line will slowly march north. May be planting shore pines as well.]
- Questioned what is native and what do we consider native trees. [Cathy mentioned City code references Plants of the Pacific Northwest Coast by Pojar and MacKinnon.]

Tom Hinman

- Mentioned Group Health mitigation plantings by Swedish.
- Participated in Environmental Sustainability Action Group and Tree Canopy Strategic Plan.
- Environmental Sustainability Action Plan recommendation to Council mentions trying to calculate carbon sequestration. Sequester carbon for carbon neutrality.
- Interconnectedness between Environmental Sustainability Action Plan, Tree Regulations Update, Tree Canopy Strategic Plan, and budget.
- Suggested one advisory group for all three of these matters. Perhaps define a group that can address all aspects.

Kerry Kriner

- Regarding code changes, they are written for development on square lots and not linear projects.
- Ability to replant native trees within a corridor is limiting.
- PSE has unique maintenance needs.
- Right tree, right place.

Stan Haralson

- In the past, big trees have been planted under 115kV powerlines. Need to determine how to prevent this from happening.
- Should have accommodation in code for problematic species – invasive, aggressive nature, such as cottonwoods and poplars.
- Consider proximity to overhead powerline.



EXHIBIT G

STATE ENVIRONMENTAL POLICY ACT (SEPA)

DETERMINATION OF NON-SIGNIFICANCE

For more information about this project visit www.redmond.gov/landuseapps

PROJECT INFORMATION

PROJECT NAME: Tree Regulations Update, RZC 21.72

SEPA FILE NUMBER: SEPA-2021-00017

PROJECT DESCRIPTION:

Zoning Code Amendment to update RZC 21.72, Tree Regulations

PROJECT LOCATION: Citywide

SITE ADDRESS:

APPLICANT: Cathy Beam

LEAD AGENCY: City of Redmond

The lead agency for this proposal has determined that the requirements of environmental analysis, protection, and mitigation measures have been adequately addressed through the City's regulations and Comprehensive Plan together with applicable State and Federal laws.

Additionally, the lead agency has determined that the proposal does not have a probable significant adverse impact on the environment as described under SEPA.

An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. **This information is available to the public on request.**

CITY CONTACT INFORMATION

PROJECT PLANNER NAME: Cameron Zapata

PHONE NUMBER: 425-556-2411

EMAIL: czapata@redmond.gov

IMPORTANT DATES

COMMENT PERIOD

Depending upon the proposal, a comment period may not be required. An "**X**" is placed next to the applicable comment period provision.

There is no comment period for this DNS. Please see below for appeal provisions.

'X' This DNS is issued under WAC 197-11-340(2), and the lead agency will not make a decision on this proposal for 14 days from the date below. Comments can be submitted to the Project Planner, via phone, fax (425)556-2400, email or in person at the Development Services Center located at 15670 NE 85th Street, Redmond, WA 98052. **Comments must be submitted by 02/24/2021.**

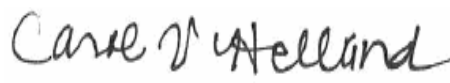
APPEAL PERIOD

You may appeal this determination to the City of Redmond Office of the City Clerk, Redmond City Hall, 15670 NE 85th Street, P.O. Box 97010, Redmond, WA 98073-9710, **no later than 5:00 p.m. on 03/11/2021**, by submitting a completed City of Redmond Appeal Application Form available on the City's website at www.redmond.gov or at City Hall. You should be prepared to make specific factual objections.

DATE OF DNS ISSUANCE: February 10, 2021

For more information about the project or SEPA procedures, please contact the project planner.

RESPONSIBLE OFFICIAL: Carol V. Helland
Planning Director

SIGNATURE: 

RESPONSIBLE OFFICIAL: Dave Juarez
Public Works Director

SIGNATURE: 

Address: 15670 NE 85th Street Redmond, WA 98052

CITY OF REDMOND
ENVIRONMENTAL CHECKLIST
NON-PROJECT ACTION
(Revised May 2018)

Purpose of the Checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the City of Redmond identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply" and indicate the reason why the question "does not apply". It is not adequate to submit responses such as "N/A" or "does not apply"; without providing a reason why the specific section does not relate or cause an impact. Complete answers to the questions now may avoid unnecessary delays later. If you need more space to write answers attach them and reference the question number.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the City can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. When you submit this checklist the City may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Planner Name: Cameron Zapata

Date of Review: 1/20/2021

To Be Completed By Applicant	Evaluation for Agency Use Only
A. <u>BACKGROUND</u>	
1. Name of proposed project, if applicable: Tree Protection Regulations Update	CZ
2. Name of applicant: Cathy Beam, AICP, Principal Planner	CZ
3. Address and phone number of applicant and contact person: MS: 4SPL; PO Box 97010 Redmond, WA 98073-9710 425-556-2429	CZ
4. Date checklist prepared: 	1/7/2021 CZ
5. Agency requesting checklist: City of Redmond	CZ
6. Give an accurate, brief description of the proposal's scope and nature: i. Acreage of the site: citywide	CZ
ii. Number of dwelling units/ buildings to be constructed: None	CZ
iii. Square footage of dwelling units/ buildings being added: 0	CZ
iv. Square footage of pavement being added: 0	CZ +
v. Use or principal activity: None	CZ
vi. Other information: citywide regulations	CZ

To Be Completed By Applicant	Evaluation for Agency Use Only
<p>7. Proposed timing or schedule (including phasing, if applicable):</p> <p>Anticipate Planning Commission review and recommendation 1Q/2Q2021 and City Council review and approval/adoption 3Q2021.</p>	CZ
<p>8. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, explain.</p>	CZ
<p>9. List any environmental information you know about that has been prepared or will be prepared directly related to this proposal.</p> <p>This SEPA checklist.</p>	CZ
<p>10. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, explain.</p>	CZ

To Be Completed By Applicant	Evaluation for Agency Use Only
<p>11. List any government approvals or permits that will be needed for your proposal, if known.</p> <p>Zoning Code Amendment which follows a City of Redmond Type VI Process. Also filing with the Washington Department of Commerce to ensure Growth Management Act compliance.</p>	<p>CZ</p>
<p>12. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.</p> <p>The proposal includes updating RZC 21.72, Tree Protection Regulations, and associated definitions, to provide clarity, reflect community values, and ensure alignment with the Redmond Comprehensive Plan, Strategic Plan, and Tree Canopy Strategic Plan.</p>	<p>CZ</p>
<p>13. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist</p> <p>The regulations will apply citywide.</p>	<p>CZ</p>

To Be Completed By Applicant	Evaluation for Agency Use Only
<p>B. <u>SUPPLEMENTAL</u></p> <p>Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.</p> <p>When answering these questions, be aware of the extent the proposal or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.</p> <p>1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?</p> <div data-bbox="334 680 1123 953" style="background-color: #d9ead3; padding: 10px;"> <p>The proposal will not to increase discharge to water; emissions to air; production, storage, or release of toxic hazardous substances; or production of noise.</p> </div> <p>Proposed measures to avoid or reduce such increases are:</p> <div data-bbox="334 1010 1123 1283" style="background-color: #d9ead3; padding: 10px;"> <p>The proposal is for updated Tree Protection Regulations. Trees slow runoff from precipitation and reduce soil erosion, improve air quality through carbon sequestration, and provide screening buffers which can mask unwanted sounds.</p> </div> <p>2. How would the proposal be likely to affect plants, animals, fish, or marine life?</p> <div data-bbox="334 1377 1123 1602" style="background-color: #d9ead3; padding: 10px;"> <p>The proposal will benefit plants, animals, and fish in that it fosters preservation of trees. Trees provide varied and rich habitats for wildlife.</p> </div> <p>Proposed measures to protect or conserve plants, animals, fish or marine life are:</p> <div data-bbox="334 1692 1123 1917" style="background-color: #d9ead3; padding: 10px;"> <p>The proposal is for Tree Protection Regulations which will help protect or conserve plants, animals and fish.</p> </div>	<div data-bbox="1167 680 1507 953" style="background-color: #fff2cc; text-align: center; padding: 50px;">CZ</div> <div data-bbox="1167 1010 1507 1283" style="background-color: #fff2cc; text-align: center; padding: 50px;">CZ</div> <div data-bbox="1167 1377 1507 1602" style="background-color: #fff2cc; text-align: center; padding: 50px;">CZ</div> <div data-bbox="1167 1692 1507 1917" style="background-color: #fff2cc; text-align: center; padding: 50px;">CZ</div>

To Be Completed By Applicant	Evaluation for Agency Use Only
<p>3. How would the proposal be likely to deplete energy or natural resources?</p> <p>The proposal will not deplete energy or natural resources.</p> <p>Proposed measures to protect or conserve energy and natural resources are:</p> <p>The proposal is for updated Tree Protection Regulations which will help conserve trees as a natural resource.</p>	<p>CZ</p> <p>CZ</p>
<p>4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?</p> <p>The proposal will not use or affect environmentally sensitive areas or areas designated for governmental protection.</p> <p>Proposed measures to protect such resources or to avoid or reduce impacts are:</p> <p>The proposed Tree Protection Regulations Update will complement the protection of critical areas.</p>	<p>CZ</p> <p>CZ</p>

To Be Completed By Applicant	Evaluation for Agency Use Only
<p>5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?</p> <p>The proposal will not affect land and shoreline uses.</p> <p>Proposed measures to avoid or reduce shoreline and land use impacts are:</p> <p>The Redmond Zoning Code currently contains Tree Protection Regulations.</p>	<p>CZ</p> <p>CZ</p>
<p>6. How would the proposal be likely to increase demands on transportation or public services and utilities?</p> <p>The proposal will not increase demands on transportation or public services and utilities. It is a Zoning Code Amendment addressing tree protection.</p> <p>Proposed measures to reduce or respond to such demand(s) are:</p> <p>None.</p>	<p>CZ</p> <p>CZ</p>

To Be Completed By Applicant	Evaluation for Agency Use Only
<p>7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.</p> <p>The proposal does not conflict with local, state, or federal laws or requirements for the protection of the environment. The proposal reinforces environmental protection via tree protection.</p>	CZ

C. **SIGNATURE**

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

Cathy Beam

Digitally signed by Cathy Beam
DN: C=US, E=cbeam@redmond.gov, O=City of Redmond, OU=Planning Department, CN=Cathy Beam
Date: 2020.09.14 15:43:55-07'00'

Name of Signee:

Cathy Beam, AICP

Position and Agency/Organization:

Principal Planner, City of Redmond

Relationship of Signer to Project:

Same

Date Submitted:



EXHIBIT H

Department of Commerce

Notice of Intent to Adopt Amendment / Notice of Adoption Cover Sheet

Pursuant to RCW 36.70A.106, the following jurisdiction provides the following required state agency notice.

1. Jurisdiction Name:	City of Redmond
2. Select Submittal Type: Select the Type of Submittal listed. (Select One Only)	<input checked="" type="checkbox"/> 60-Day Notice of Intent to Adopt Amendment. <input type="checkbox"/> Request of Expedited Review / Notice of Intent to Adopt Amendment. <input type="checkbox"/> Supplemental Submittal for existing Notice of Intent to Adopt Amendment. <input type="checkbox"/> Notice of Final Adoption of Amendment.
3. Amendment Type: Select Type of Amendment listed. (Select One Only)	<input type="checkbox"/> Comprehensive Plan Amendment. <input checked="" type="checkbox"/> Development Regulation Amendment. <input type="checkbox"/> Critical Areas Ordinance Amendment. <input type="checkbox"/> Combined Comprehensive and Development Regulation Amendments. <input type="checkbox"/> Countywide Planning Policy .
4. Description Enter a brief description of the amendment. Begin your description with "Proposed" or "Adopted", based on the type of Amendment you are submitting. Examples: <i>"Proposed comprehensive plan amendment for the GMA periodic update."</i> or <i>"Adopted Ordinance 123, adoption amendment to the sign code."</i> (Maximum 400 characters).	Proposed Zoning Code Amendment to update the City of Redmond's Tree Regulations, RZC 21.72, to provide clarity, reflect community values, and align with the City's Strategic Plan. Amendment includes relevant definitions from RZC 21.78.



Department of Commerce

5. Is this action part of your 8-year periodic update required under RCW 36.70A.130 of the Growth Management Act (GMA)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6. Proposed Dates: Enter the anticipated public hearing date(s) for your Planning Commission/Planning Board or for your Council/Commission.	Planning Commission: Hearing tentatively scheduled for 3/10/2021. City Council: Review 3Q 2021 Proposed / Date of Adoption: ~August 2021
7. Contact Information:	
A. Prefix/Salutation: (Examples: "Mr.", "Ms.", or "The Honorable" (elected official))	Ms.
B. Name:	Cathy Beam
C. Title:	Principal Planner, AICP
D. Email:	cbeam@redmond.gov
E. Work Phone:	425-556-2429
F. Cell/Mobile Phone: (optional)	
Consultant Information:	
G. Is this person a consultant?	<input type="checkbox"/> Yes
H. Consulting Firm name?	N/A
8. Would you like Commerce to contact you for Technical Assistance regarding this submitted amendment?	<input type="checkbox"/> Yes

REQUIRED: Attach or include a copy of the proposed amendment text or document(s). We do not accept a website hyperlink requiring us to retrieve external documents. Jurisdictions must submit the actual document(s) to Commerce. If you experience difficulty, please email the reviewteam@commerce.wa.gov



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

01/25/2021

Ms. Catherine Beam
Principal Environmental Planner
City of Redmond
15670 NE 85th Street
Redmond, WA 98073-9710

Sent Via Electronic Mail

Re: City of Redmond--2021-S-2283--60-day Notice of Intent to Adopt Amendment

Dear Ms. Beam:

Thank you for sending the Washington State Department of Commerce (Commerce) the 60-day Notice of Intent to Adopt Amendment as required under [RCW 36.70A.106](#). We received your submittal with the following description.

Proposed Zoning Code Amendment to update the City of Redmond's Tree Regulations, RZC 21.72, to provide clarity, reflect community values, and align with the City's Strategic Plan. Amendment includes relevant definitions from RZC 21.78.

We received your submittal on 01/25/2021 and processed it with the Submittal ID 2021-S-2283. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 03/26/2021.

We have forwarded a copy of this notice to other state agencies for comment.

Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Kirsten Larsen, (360) 280-0320.

Sincerely,

Review Team
Growth Management Services

EXHIBIT I

From: [Becky Frey](#)
To: [Cathy Beam](#); [Sarah Pyle](#)
Subject: FW: Comments re: Redmond Tree Regulations
Date: Friday, June 12, 2020 8:39:48 PM
Attachments: [Final Version of Tree Presentation.ppt](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)



Becky Frey
Senior Long Range Planner | City of Redmond
☎: 425.556.2750 | ✉: bfrey@redmond.gov | Redmond.gov
MS: 4SCC | 15670 NE 85th St | Redmond, WA 98052

Out of an abundance of caution and in accordance with the State & County guidelines to mitigate the spread of COVID-19, Redmond City Hall remains closed through July 1, 2020. Please continue to contact me via email; however, all correspondence and meetings may be delayed or adjusted.



NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account is a public record. Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

From: Tom Hinman <tom@thinmanassoc.com>
Sent: Friday, June 12, 2020 4:33 PM
To: Parks and Trails Commission <parkboard@redmond.gov>; Planning Commission <planningcommission@redmond.gov>
Cc: Becky Frey <bfrey@redmond.gov>
Subject: Comments re: Redmond Tree Regulations

External Email Warning! Use caution before clicking links or opening attachments.

Date: June 12, 2020

To: Redmond Planning Commission
Redmond Parks & Trails Commission

From: Tom Hinman, Redmond Citizen

Subject: Comments re: Tree Regulations Update Briefing

Purpose

These comments are provided to amplify and enhance portions of the May 27, 2020 memo regarding tree regulations as provided by staff. They are intended to inform decision makers as Redmond seeks to implement a 40% tree canopy retention strategy for the community.

Background

As a Redmond citizen concerned about preserving our natural environment and our tree canopy in particular, I have provided public comment on my own behalf and as a member of Sustainable Redmond in numerous contexts since 2011. While all of these are a matter of public record, the most relevant information on the subject was presented to the Redmond City Council on April 2, 2013 by Sustainable Redmond in the form of an intern-driven study of Redmond tree protection data and practices between 2010 and 2013. This pre-dates the 2015-2020 scope of the referenced May, 2020 staff memo. (Please see the archival email string from 2015 with attached Powerpoint presentation.)

Tree Definitions

As noted in the staff memo, Redmond regulations treat both significant trees and landmark trees. Landmark trees hold “special status” so 100% of the healthy trees in a parcel are to be retained unless an exception is granted. (Neighboring jurisdictions also use the term “heritage” or “specimen” to classify trees of particular value to the community.) In contrast, 65% of Redmond’s “significant trees” can be removed, preserving the 35% regulatory minimum tree retention requirement.

Use of the term “significant” throughout Redmond code language leads to semantic confusion and the comingling of the two classifications of trees when determining the number of trees to be retained. While 35% of the (smaller) significant trees could be viewed as a minimum, lumping of the (larger) landmark trees mandated at 100% retention within that 35% results in major losses of the trees most valuable to the environment. The retention of landmark trees should be addressed separately, perhaps at a number more realistic than 100% but certainly greater than the 35% in practice. Recommendation: Establish a separate tree retention target for landmark trees.

Tree Data Analysis

Existing sites/SFR tree removal numbers are modest in comparison to proposed developments of larger “green” parcels that affect many more trees. (The Sustainable Redmond study only considered new developments due to their greater environmental impact.) Enforcement and survival monitoring of replacement trees planted in mitigation for removals is also an area where improvement could be needed. (NOTE: Comingling of “significant” and “landmark” trees occurs in Figures 2 & 4 and elsewhere in staff analysis as noted above.)

Take-aways by City staff suggesting opportunities for improvement are acknowledged. They are generally consistent with findings by Sustainable Redmond. Closer attention by intake planners and intended implementation of metrics for “dashboard” reporting are other positive developments.

Development proposals analyzed by Sustainable Redmond for selected projects prior to 2015 will add context to tree loss totals in Figure 5. Figure 4 shows a dismal record of those projects that failed to meet the 35% tree retention requirement. Replacing landmark trees even at a 3:1 ratio does not begin to provide the environmental benefits of mature trees, even if that mitigation was enforced.

Regulatory Exceptions

A key consideration that merits additional research is the routine approval of exceptions to tree protection regulations. Taken in combination with the comingling of significant and landmark trees when calculating the 35% minimum tree retention standard, this results in higher loss of landmark trees than would be the case if the 100% standard was applied to the larger trees. Figure 6 should be revised to specify the total number of lost trees by classification as contained in the exemption requests, not just the percentage of requests approved. Recommendation: As part of the current regulatory update, prescribe broader public knowledge of exception criteria and enhanced transparency of the exception approval process.

Replacement Tree Fees

The staff memo notes that Redmond charges the lowest in-lieu fee of any surrounding jurisdiction at \$250. This tree fund contribution is a bargain for developers and defers meaningful mitigation for lost trees. Recommendation: Review mitigation enforcement, survival monitoring and in-lieu fee levels for trees removed in Redmond.

Next Steps

A stakeholder team that includes public members should be formed to assist in moving Redmond to the 40% tree canopy goal. A "Tree Board," one of the components recommended by the Arbor Day Foundation, could serve as a model.

Thank you for your consideration,

Tom Hinman

----- Forwarded Message -----

From: Tom Hinman <tom@thinmanassoc.com>

To: "mayorcouncil@redmond.gov" <mayorcouncil@redmond.gov>; "cityclerk@redmond.gov" <cityclerk@redmond.gov>

Cc: "cbeam@redmond.gov" <cbeam@redmond.gov>; "cjhope@redmond.gov" <cjhope@redmond.gov>; "tkluver@redmond.gov" <tkluver@redmond.gov>

Sent: Tue Apr 21 2015 16:07:16 GMT-0700 (Pacific Daylight Time)

Subject: Redmond Tree Canopy Presentations

Dear Mayor & Councilmembers -

On April 14, 2015 you received a very informative report on the extent of Redmond's tree canopy, ways that it can be measured, tree protection regs and the role of Green Redmond in restoring and preserving our natural resources. On April 2, 2013, Sustainable Redmond delivered to the Council a very detailed examination of tree retention data that suggested City staff waivers of tree protection provisions contained in planning documents and code provisions were granted routinely.* This intern-based research project supported our futile recommendations to amend and strengthen those documents and strongly advocated use of tree canopy metrics as a critical indicator tracking natural resource trends and the environmental services trees provide to our community.

On the occasion of Earth and Arbor Days, it is gratifying to see the City's use of new LIDAR technology to quantify Redmond's touted green reputation and standing as a Tree City. Although we may have some quibbles with specific pieces of the tree canopy data, such as lumping the Watershed Preserve and Farell-McWirtter Park into "urban forest" calculations with attendant skewing of figures, we welcome the new visibility brought to this issue and hope that tree canopy will finally be incorporated into Redmond's Community Indicators as relevant "dashboard" information.

Further, as the Parks, Arts, Recreation, Culture and Conservation (PARCC) Plan is updated through community open houses this May, we hope that it will be an opportunity to emphasize natural resource values in general and tree retention strategies in particular. Citizen surveys, budget

polling and the possible levy all place a high priority on our urban forests and parks; a cause that Sustainable Redmond has advocated since its inception. We believe that our residents and employees will reinforce tree protection priorities whenever opportunities are presented as we work together to keep Redmond green.

Regards,
Tom Hinman
Sustainable Redmond

* A video of that 2013 presentation can be found at http://redmond.granicus.com/MediaPlayer.php?view_id=2&clip_id=218
It appears as a 20-minute Item from the Audience beginning 15 minutes into the meeting video. The Powerpoint slides are attached for your convenience.

Click [here](#) to report this email as spam.

Comments from Rosemarie Ives, 7/13/2020

Good evening members of the Planning Commission, staff and the public. My name is Rosemarie Ives. I served as mayor of Redmond for 16 years, 1992-2007. Before that, I was on the city council...it was around 1988 that the first tree ordinance was passed, now more than 30 years ago. I am speaking tonight on the Tree Canopy Strategic Plan.

I applaud the goals of the plan especially where it states that the city wants to lead in conservation and retention of significant trees. I implemented the ordinance during my mayoral tenure and continue to support adopted city policies that require the retention of landmark and valuable significant trees. Yet when I review the commission's minutes, there seems to be no mention of retention and protection of trees. The city has adopted a goal of 40% tree canopy by 2049 and reports that our existing canopy is at 38% which includes over 900 acres of forests that are outside the city limits. Tree canopy is commonly used by cities to describe what happens within a city. So to be accurate and not misleading, the percentage should be lowered to reflect only the tree canopy within our city limits where the environmental benefits accrue.

In reviewing the tree regulations update, the city has been overly permissive in allowing significant and landmark trees to be removed over the past five years. It would be valuable to look at the same information going back ten years to 2010. With those statistics before us, the city should commit to a "canopy floor" that we will not go below.

I am troubled that throughout the plan, the focus is on planting new trees. **There appears to be an over assumption that the city can plant its way out of canopy loss in order to meet its canopy goal. This is not supported by science and research.** There isn't anything in the plan that speaks to retention and preservation. Retention of trees is an important part of meeting a canopy goal.

Though the first of the plans three goals is "no net loss of significant trees," there is no mention of how that will be achieved in the first ten years of implementation of the plan. And under the matrix on Strategy Data, there is no accounting of number of trees removed, number of trees retained in addition to the number of new plantings. I also did not see the plans for monitoring the maintenance, assessing success or mortality of plantings on public property.

Though tree planning efforts are worthwhile, research indicates that newly planted trees must reach a certain size before they contribute any benefits. Within the context of an existing urban forest, the odds are not good that a young tree will or can replace the environmental benefits of a mature tree.

If you believe as I do that trees are important for aesthetics, clean water, clean air and CO2 emissions reductions, it seems to me that preserving and protecting existing trees is the best method of maximizing tree benefits especially in our urban centers where the population per acre is extremely dense. Wouldn't our time, effort, and resources be better spent on preserving more of the mature trees we already have?

I know that this is complex and involves hard decisions, however that doesn't mean we shouldn't try.

From: [Susan Robertson](#)
To: [Cathy Beam](#)
Subject: Preservation of long-lived native conifer species
Date: Wednesday, July 8, 2020 10:35:13 PM

External Email Warning! Use caution before clicking links or opening attachments.

Hi Cathy,

I live near North Redmond, and observe that current regulations are not preserving long-lived native conifer species- Western Red Cedar, Doug Firs, and Hemlocks-as the the Redmond 2030 Comprehensive Plan suggests that they should be.

Where these trees exist, they should be preserved in developments as “tree lot” clusters, similar to required “tot lots” land set-asides in dense developments.

The big old second growth native conifers are valuable for carbon sequestration and air quality. They also provide habitat for valued species such as Pileated Woodpeckers, which are a species of concern in WA state.

Their environmental value is in no way replaced by street trees, or smaller trees on R6, or zero lot line properties. The trees planted in these locations are short-lived, and do not provide the value cited in the previous paragraph.

Susan Robertson

From: [Norma Wilcox](#)
To: [Cathy Beam](#)
Subject: Re: Let's Connect On-Line Tree Questionnaire
Date: Wednesday, July 8, 2020 9:19:17 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

External Email Warning! Use caution before clicking links or opening attachments.

Cathy,

What a wonderful project.... so important for Redmond. We no longer live in our beautiful forested home in Redmond but I am going to forward this to some of my ex-neighbors. We miss the PNW so much and our trees but we could not longer afford the property taxes on our home of 37 it broke our hearts to leave. The change is hard but we now live in the mountains of central Arizona... a whole new gardening challenge.

Thanks for your continued work in helping make Redmond such a beautiful place to live. Norma L Wilcox formerly of 7508 145th Ave NE, Redmond, WA 98052. Now of 383 Northview Drive... Prescott, AZ

On Mon, Jul 6, 2020 at 4:56 PM Cathy Beam <CBEAM@redmond.gov> wrote:

Hello,

You are receiving this email because you either participated in the development of the City's Tree Canopy Strategic Plan or you have contacted me regarding Redmond's tree regulations.

Our public participation process has officially started. If interested, please go to the City's website to learn about the tree regulations update and participate in a brief questionnaire. Here is the link to the website - <https://www.letsconnectredmond.com/trees> This is the first step in the public participation process.

Thank you for your time.

Sincerely,



Cathy Beam, AICP

Principal Planner | Planning and Community Development

☎: 425.556.2429 | ✉: cbeam@redmond.gov | Redmond.gov

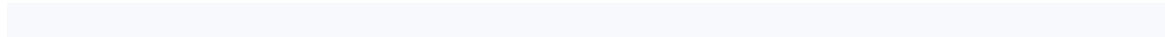
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From: [Tom Hinman](#)
To: [Planning Commission](#); [Becky Frey](#)
Cc: [Parks and Trails Commission](#); [Jeff Aken](#); [Gary Smith \(City Volunteer\)](#); [Cathy Beam](#)
Subject: Comments for Planning Commission Public Hearing - 7/22
Date: Tuesday, July 21, 2020 2:26:49 PM

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Public Hearing Comments for Planning Commission Meeting of July 22, 2020

Commissioners –

These written comments are provided in lieu of on-line oral testimony as you continue your review of the Tree Canopy Strategic Plan. They follow on my earlier emailed comments of July 3, 2020 on the same topic.

First, let me clarify the intent of the 2013 vintage attachment to my earlier submission. I wished to demonstrate how long these conversations have been on-going. They were presented to the Planning Commission then considering a Comp Plan Amendment proposed by Sustainable Redmond in the aftermath of the Group Health tree removal process. (The first few slides were addressed to that reviewing body at the time.) By including projects since 2010, the numbers presented in the Powerpoint give more historical insights than presented in the current staff memo. The findings also address continued concerns about the lenient granting of exceptions to tree retention regulations.

Tree Definitions – In my memo of June 12/email of July 3, I addressed the confusion arising from the use of the same term – “significant” – referring to both the overall tree retention goal and to those tree specimens over 6 inches dbh. I recommended establishment of a separate tree retention target for landmark trees. See if this suggestion is any clearer.

Significant tree – tree for which a replacement tree (or trees) must be planted as mitigation for tree loss and to attain tree canopy goals.

Mature tree – (currently categorized as “significant” tree) Tree over 6 inches dbh for which a 1-to-1 replacement must be planted per current regulations. A minimum of 35% of mature trees must be retained, which corresponds to current regulations. Increasing the minimum to 40% would be consistent with the Tree Canopy Strategic Plan target.

Landmark tree – as currently defined, a tree over 30 inches dbh for which a 3-to-1 replacement must be planted per current regulations. Current regulations state that 100% of landmark trees must be retained unless an exception is granted in the permitting process. This high standard is rarely met and may be impractical in practice. Accordingly, I recommend that a minimum of 65% of landmark trees must be retained and that more stringent exception criteria be instituted in compensation for the reduction from 100%.

In lieu fees, mitigation enforcement and survival monitoring – I previously recommended review of these items for trees removed in Redmond. Regarding in-lieu fees, I would suggest \$500 for a Mature tree and at least \$750 for Landmark tree mitigation. (Even these values seem modest but are an improvement over the current fee structure.) Further, I recommend that the quarterly tree loss report being proposed by staff include the amount received as in-lieu fees and any relevant findings regarding mitigation enforcement, survival rates of plant stock by project, and corrective actions taken if warranted.

“No net loss” – The statement regarding **NE113** *Maintain no net loss of significant trees within the city over the long term* is necessary but imprecise. What is “long term?” I would suggest that it should be less than a 10 year period but should be informed by findings resulting from the “quarterly metrics and rigid reporting requirements” proposed by staff.

Issue Matrix Items #5 & 7 – I concur that the regulatory improvements being recommended need to be addressed in a Planning context (as is apparently in progress) rather than by Parks. I would be pleased to participate in that process.

Thank you for your consideration,
Tom Hinman

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From: [Gina Clark](#)
To: [Cathy Beam](#)
Cc: [David Lee](#); [Carol Helland](#); [Angela Birney](#); [Jenny Lybeck](#)
Subject: RE: Question about tree protection ordinance - Dave can you answer?
Date: Wednesday, July 29, 2020 1:10:47 PM
Attachments: [image001.png](#)
[image002.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
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[image020.png](#)
[image021.png](#)
[image022.png](#)
[image023.png](#)
[FINAL DRAFT FNW Tree Retention on Private Land \(002\).pdf](#)

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Thank you, Cathy. Yes, appreciate that you received this comment from Jenny. Love to see the cross-department coordination. I have to share this incredible sharing of community ideas and feedback between departments with Carol and the Mayor. It's something I know the City is working hard to improve and that some other cities don't always achieve, so THANK YOU! I truly appreciate the effort, time, coordination, and help, especially as staff is taking on such heavy workloads and working so much during this time.

By the way, my comments should read, "does **not** place the full responsibility of tree protection **and replanting** on homeowners or builders...." I neglected to add the words *not* and *and replanting* in there. Kind of important!

Thank you for your reply. MBAKS looks forward to working with you on revising the tree protections ordinance. As you know, tree protection ordinances can be one of the most divisive policies to work on, especially when it comes to balancing housing, but it doesn't have to be. We've had a rough go in Kirkland over the last two years on this very issue with no final resolution. But a lot of lessons learned. I've also recently worked with other stakeholders to put together regarding various tree protection policies around the region for Forterra called Tree Retention on Private Land. It tries to give some best practice ideas for various common tree retention scenarios found when formulating policy and facing common challenges. I've attached the final report.

I would also urge you to work with a Redmond resident and long-time arborist who has vast experience and knowledge working all sides of this issue around this entire region. She's semi-retired and would love to be part of this dialogue. I called upon her for Kirkland and Duvall outside of the developers hired arborists for help with my own insight. The good thing is she holds nothing back, so you get a really honest opinion. Plus, she's a Redmond resident so has a real interest in this issue. Her name is Susan Prince. Sprince202@aol.com

I hope some of this helps. Looking forward to more engagement as the process moves forward.

Take care,
Gina



Gina Clark | Government Affairs Manager, King County

p 425.460.8224 **c** 425.268.1156
335 116th Ave. SE, Bellevue, WA 98004

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From: Cathy Beam <CBEAM@REDMOND.GOV>

Sent: Monday, July 27, 2020 11:00 AM

To: Gina Clark <gclark@mbaks.com>

Cc: David Lee <dlee@redmond.gov>

Subject: RE: Question about tree protection ordinance - Dave can you answer?

Hi Gina,

Thank you for your email regarding the Tree Protection Regulations. We are just getting started with the public participation process. If you haven't already done so, please go to the City's Let's Connect Webpage to answer a questionnaire and share thoughts about the upcoming updates. It can be found here - <https://www.letsconnectredmond.com/trees> There is also general information about the update along with an anticipated schedule. The schedule has Council action for December. This would be for the actual proposed regulations update. I realize this schedule may shift a bit due to the fact this is a budget year and getting time before Council towards the end of a budget year can be challenging.

The intent is that the regulations compliment the Tree Canopy Strategic Plan that was adopted last year. In that vein, any and all public comments are helpful.

I did receive some comments regarding trees from the MBA that were posted to the Environmental Sustainability Study. I have attached those for your information.

Please feel free to contact me if you or your members have any questions or comments.

Sincerely,



Cathy Beam, AICP

Principal Planner | Planning and Community Development

☎: 425.556.2429 | **✉:** cbeam@redmond.gov | Redmond.gov

MS: 4SPL | 15670 NE 85th St | Redmond, WA 98052



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From: Gina Clark <gclark@mbaks.com>
Sent: Wednesday, July 22, 2020 3:14 PM
To: Gloria Meerscheidt <GMeerscheidt@REDMOND.GOV>
Cc: David Lee <dlee@redmond.gov>; Cathy Beam <CBEAM@REDMOND.GOV>
Subject: RE: Question about tree protection ordinance - Dave can you answer?

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Thanks, Gloria. Very much appreciated.

Take care!
Gina



Gina Clark | Government Affairs Manager, King County

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From: Gloria Meerscheidt <GMeerscheidt@REDMOND.GOV>
Sent: Wednesday, July 22, 2020 3:12 PM
To: Gina Clark <gclark@mbaks.com>
Cc: David Lee <dlee@redmond.gov>; Cathy Beam <CBEAM@REDMOND.GOV>
Subject: FW: Question about tree protection ordinance - Dave can you answer?

Hi Gina,

Thank you for your email. Unfortunately, I do not know the answers.

This email is being forwarded to David Lee, our acting Manager. Maybe Dave can answer your questions below.

Best regards,



Gloria Meerscheidt
Administrative Assistant Planning and Community Development | City of Redmond
☎: 425.556.2407 | ✉: gmeerscheidt@redmond.gov | Redmond.gov
MS: 4SPL | 15670 NE 85th St | Redmond, WA 98052

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From: Gina Clark <gclark@mbaks.com>
Sent: Wednesday, July 22, 2020 2:53 PM
To: Gloria Meerscheidt <GMeerscheidt@REDMOND.GOV>
Subject: FW: Question about tree protection ordinance

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Hi, Gloria.

I hope you're doing well. I sent Cathy the email below but she's out until Monday. Any chance you know the answers?

Many thanks!
Gina



Gina Clark | Government Affairs Manager, King County

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From: Gina Clark
Sent: Wednesday, July 22, 2020 2:49 PM
To: Cathy Beam <CBEAM@REDMOND.GOV>
Subject: Question about tree protection ordinance

Good afternoon, Cathy.

I hope this email finds you well. I know busy all of you are at the city but I was hoping you could answer a few questions about the tree protection ordinance and potential plans to amend.

1. Is council action scheduled for December 2020 to be a vote on all new amendments, or approval of direction for staff to move forward with amending?
2. Will amendments take into consideration the 2019 Tree Canopy Study in addition to any stakeholder feedback currently being gathered?

Many thanks for the clarification.

Take care,
Gina



Gina Clark | Government Affairs Manager, King County

p 425.460.8224 **c** 425.268.1156
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Process Suggestions

How is the city learning from other municipalities that recently have revised their tree canopies to incorporate processes and procedures that worked well?

Would the city support the creation of a stakeholder committee comprising private land owners, developers, arborists, and interested citizens as a collaborative partner with city staff on tree-code revisions?

Code Suggestions

Preserving Existing Trees

Could the code identify a minimum tree-canopy percentage that would trigger specific emergency actions for tree preservation if the city's canopy were in danger of shrinking to this level rather than growing to the desired 40% coverage?

Could we increase retention requirements for trees with landmark designation?

Could we update the retention requirements of significant trees from 35% to 40%?

Could we create a new designation--e.g. "Heritage Tree"--and required retention rates for trees with diameters between six and 30 inches?

Could we look at the latest science and progressive policies implemented by other municipalities around preserving dead or dying trees for their function in the ecosystem rather than allowing them to be removed without counting against retention requirements?

Replanting Requirements

Could we define the tree varieties that are acceptable for replanting purposes?

Could we increase the quantity of trees that must be planted to replace a tree with landmark designation, including specifying the variety and location of the replacement trees?

Enforcement and Fees

Can we require private landowners who remove trees to plant replacements on their own property, fund replacement at a designated mitigation site, or pay into a general tree-canopy fund for ongoing tree-replanting projects use?

Can we increase the fees we charge for tree removal to align with other municipalities in the region?

Can we create a scale of rising fees for tree removal depending on the designation of the tree to be removed?

Encouraging Community Support

Can we create a process for a partial replanting-fee rebate after five years for landowners who show that their replanting efforts have survived to an acceptable standard?

Can we create incentive structures and processes for landowners and neighborhoods that want to increase their tree canopy?

Information Sharing

Could we require public-information billboards at proposed development sites to identify the quantity and type of trees to be removed, details of any required mitigation plans, and how citizens can provide feedback that could affect the outcome of the development plans?

Could we require a publicly accessible database of tree removals, replacements, and new plantings with a running total of current canopy figures?

Could this public database also identify exceptions granted and in-lieu fees collected related to tree removal, uses of any tree-removal income to the city, and proof-of-performance audit details of the vitality of replanting efforts.

Could all public information on changes in tree-canopy coverage show progress to the overall goal of 40% coverage, which includes the Redmond city limits and Redmond land holdings in unincorporated King County, as well as changes coverage in only the city limits and only in unincorporated King County?

From Aaron Knopf, former Parks and Trails Commissioner, 8/17/2020

As Redmond urbanizes, the need for urban greening increases. Trees are important to livable urban areas by combating pollution, urban heat, and flooding, and improving social cohesion, human health, and well-being. Investments in tree planting and arboriculture yield valuable returns, but trees face many challenges in the urban environment. Built landscapes cause trees to face many stresses. Improving **urban forests** makes cities **healthier, more livable, and more sustainable**. **Cities should be protecting mature trees and promoting long-lived trees.**

Rapid urbanization is often accompanied by environmental degradation (like air pollution, heat island effects, soil erosion, habitat and wildlife loss, carbon emissions, noise levels, etc.) impacting human health, quality of life, and well-being. **Densely populated areas can also serve as breeding grounds for contagious diseases. Increasing Redmond's tree canopy can help ameliorate environmental, economic, and social conditions. Urgent action and new partnerships** are needed to work toward **solutions for sustainability** and the **well-being of people and the environment** in urban areas.

Trees improve the environment, save money, and improve people's lives. Urban trees reduce air pollution, removing harmful particulate matter and offsetting carbon emissions through carbon storage. They mitigate water pollution by reducing storm water runoff. **Urban trees lower energy costs of buildings through shading and evaporative cooling, reducing building energy consumption by up to 40%.**

The **priority** should be to **protect existing trees** since **they are delivering the most immediate benefits**. Policies and protection regulations are needed for existing trees, especially those that are large or of historical value. The economic, environmental, social, and cultural loss is tremendous each time a mature tree is removed.

Botanical gardens and arboretums can support efforts to develop **forestry action plans**. They have a significant public outreach, maintain a strong professional network, and can help to (a) **protect existing trees**; (b) improve **tree selection, diversity, and age** structure; and (c) improve **planning, standards, training, and management**.

As the public and community decision-makers become more aware that **investing in urban forestry** can be a **solution** for many pressing urban **environmental problems**, **trees** will be considered a higher **priority**. Stakeholders need to come together to develop a vision and goals that serve the entire community and recognize that urban forestry is a long-term proposition. Plans should include an understanding of current conditions, an awareness of risks to the urban forest ecosystem, a strategy to involve public and private partnerships, an acknowledgment of the economic value that the urban forest is delivering, and a financial strategy for realistic investment over time. **City planning** should incorporate **tree preservation** laws, **development regulations, design and planting** standards, and **long-term maintenance** provisions. It's not enough to make short-term commitments to planting more trees, because **success will be determined by survivorship and sustainability**, which require improved site conditions, good planting and care standards, a trained workforce, and ongoing maintenance.

Protecting, planting, and caring for urban forests will deliver **great benefits environmentally, socially, and economically.** **Urban forest** improvement is worth our **attention** and **investment** for a **greener, healthier,** and more **beautiful world** for people.

From David Morton, 8/18/2020



August 24, 2020

City of Redmond Planning Commission
15670 NE 85th Street
Redmond, WA. 98052

SUBJECT: Parks and Trails Commission response to The Tree Regulation memo of May 27, 2020 from Cathy Beam to the Planning Commission.

Dear Chair Captain:

The Redmond Parks and Trails Commission has a strong interest in the success of the City's Tree Canopy Strategic Plan, which was adopted in January of 2019. The Commission believes that the tree regulations will be an important part of this effort and wanted to provide comments to Cathy Beam and the Planning Commission on the memo from May 27, 2020.

Data:

We applaud the call for "quarterly metrics and rigid reporting requirements," but want to go beyond quarterly reporting to Council and Commissions. We wish for more public transparency and real-time readouts as fast as a computerized database would allow.

Stakeholders:

We appreciate the call to establish an "internal stakeholders' team" but wonder why citizens are not included.

In-lieu fees:

We're pleased to see staff call out the low in-lieu fee that Redmond charges for cutting down significant trees without replacing them. At a minimum, the fee must be increased to the level of Woodinville, which has requirements based on tree credits, another idea that needs to be explored. However, one member of the Commission believes the City would be better off without in-lieu fees, in other words, always requiring mitigation by replacement. The feeling is that property owners in an urban forest should not be allowed to simply pay for downing a tree but should be required to increase canopy through new plantings.

Review mitigation enforcement and replacement tree survival monitoring:

The formulas for replacing cut trees need adjustment to expand the acreage under cover and to extend the time horizon for plantings to grow to maturity: e.g. increase the 3:1 replacement ratio for landmark trees to 5:1 and lengthen the monitoring period to 10 years, thus increasing the

success of replacement trees in providing new canopy, preferably long-lived species of evergreens.

Establishing a separate tree retention target for landmark trees:

Staff does not specify the current tree retention rule of 100% for landmark trees. And in the tables sometimes the two categories are broken out separately, sometimes not, which can cause confusion. The city's 35% tree retention requirement is simple and understandable – why not increase it to 40%, matching the city's overall canopy goal?

Landmark trees are a special category and should always be treated separately, the better to show the environmental loss of tree cuts. And if the city retains its retention requirement of 100% of landmark trees, planners need to specify guidelines for exceptions.

Private vs Planned Residential Development (PRD):

The Commission agrees that private residences need to be addressed, but staff's Figure 1 on population growth in the last 10 years shows land-use realities. While single family residential (SFR) numbers increased 10%, MFRs increased by 67% (staff understated it at 40%). Presumably, that trend will continue to cause net tree loss primarily from new PRDs.

Cooperating with Bellevue and Kirkland:

We're pleased that staff researched tree codes in neighboring cities, but would hope for active cooperation, particularly with Kirkland for lessons learned during the grinding process that city took from its 2013 Tree Canopy Strategic Plan to its 2020 tree code revision. We also think staff should look further afield at models like Portland, also iTree. We're confident they're aiming for best practices, but by now, the city is so far behind, it will take a major effort that draws strength from regional efforts to increase tree canopy. We on the Parks and Trails Commission can only cheer from the sideline and wish staff well on the tree code rewrite.

The Parks and Trails Commission looks forward to the tree code update process.

Sincerely,

Gary Smith, Chair
Redmond Parks and Trails Commission

Attachment A: Tree Regulations Update Briefing Memo to Planning Commission 05.27.2020

CC: Carrie Hite, Director Parks and Recreation
Carol Helland, Planning Director
Beverly Mesa-Zendt, Planning Manager
Sarah Pyle, Planning Manager
Cathy Beam, Principal Planner

From: [Rod G](#)
To: [Cathy Beam](#)
Subject: City of Redmond tree regulations
Date: Sunday, August 30, 2020 1:53:50 PM

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Hello Ms. Beam,

My name is Rod Garbarino, and I am an owner within the The Redwoods condominium complex within the city limits of Redmond. The reason I'm contacting you is related to the city's Tree Regulations project, and concerns of recent years finding trees removed at The Redwoods.

The current board seems bent on removing all trees from the property, as a large fir was removed 2 years ago, along with two maples two years ago. Last year two firs had all branches removed, and were topped, leaving two poles approximately 25-30 feet in height. I received notice this last Friday that Tolt Tree Company would be onsite beginning this Tuesday(9/01 & 9/02) to remove additional trees. Are permits required for tree removal on multi-home properties?

Full disclosure, one of two firs was identified with disease, but the arborist I spoke with said it would last for years, and its roots were preventing erosion of the ravine adjacent to the building I live in. The same with one of the large maples that was cut down, it had disease in one of the offshoots, but rather than dissect it, the entire clump of trees was removed.

Why am I reporting this? Growing up on 3 acres of forest, I have lived in Redmond for over 18 years because of the parks and most recent endeavor to implement tree regulations to retain it's population integrated within a natural background. Seeing the gradual removal of trees from The Redwoods complex is concerning.

Thank you for this project.
Rod Garbarino
9494 Redmond-Woodinville Rd
B302
Redmond, WA 98052

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From: meetbrian@comcast.net
To: [Cathy Beam](#)
Subject: Planning
Date: Monday, October 12, 2020 3:12:11 PM

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I completely was unaware of this survey and other things and I would have loved to have some input in this as trees are one of my favorite things and I'm very frustrated with what's going on in Redmond from both points of view

They keep tearing down mature trees and they do not leave enough space to put decent trees back along the road so the canopy in downtown Redmond is just never going to be attractive like it used to be. I am not looking forward that to them taking apart the last beautiful tree-lined street we have and that is the eastern half of Cleveland. They will not replace those with trees that will ever mature in the same way and cover the middle of the road the way these do they just don't plant them like that nor the way that leave enough room next to buildings like they used to the buildings are getting closer and closer to the street and sidewalks are not wide enough to be add service to a proper big city that Redmond is becoming. I'm hoping that they also discontinue to use of some of the scrappy trees like the Locust on 166th Avenue. I love the color of the trees along Bear Creek Parkway in the fall I might think Redmond is doing a bad job. I'm just saying they need to plan a little better for a beautiful future. But I did not get to see the survey I did not know what you're asking and I do not know what your plan is. I really wish I would have been involved in this. Brian Baker [206-391-1299](tel:206-391-1299)

Sent from my T-Mobile 4G LTE device

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Cathy Beam

From: Susan Prince <sprince202@hotmail.com>
Sent: Tuesday, December 1, 2020 4:36 PM
To: Kim Dietz
Subject: Definition of significant tree should contain how to measure multi-stemmed trees

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Significant Tree. Any healthy tree six inches in diameter at breast height (d.b.h.), or any tree four inches in diameter at breast height (d.b.h.) that, after considering its age, height, value, or function, the tree or tree stand is determined to be significant. (SMP). This term also applies Citywide.

Arboriculture is moving away from the term “Diameter at breast height” since that depends on the height of the person measuring the tree. A More updated term is “DSH- Diameter at Standard Height”.

.Standard height is considered to be 4.5” above grade.

When measuring on a slope, the height is presumed to be ½ way between the upper and lower grade.

Muti-stemmed trees are assigned a DSH equal to the square root of the squared sum of each trunk’s DSH. Or the square root of : (A) squared + B squared + C squared; where A, B and C are the DSH of each trunk. (sorry, by email doesn’t allow mathematical symbols.

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PUBLIC COMMENT REGARDING PROPOSED (UPDATED) TREE REGULATIONS

Provided by Tom Hinman, February 23, 2021

Under RZC 21.72, the City of Redmond is in the process of updating its Tree Regulations (formerly known as Tree Protection), a topic upon which I have commented numerous times over the last 10 years¹. I welcome the comprehensive review that these regulations have received in recent months.

The positive elements of the proposed regulations include:

1. A proactive approach tracking tree removals 2 years prior to a development application
2. Including neighboring properties by seeking easements for trees along the property line
3. Shifting to the “critical root zone” criteria for tree preservation in place of a 5 foot standard
4. Creation of tree protection tracts that foster contiguous treed properties and have future title restrictions
5. Incentives for higher levels of tree protection
6. Including hazardous trees as a category of trees where replacement trees are required
7. More realistic in-lieu fees, penalties and tree replacement ratios

Areas where clarity is still necessary:

As stated in my memo to June 12, 2020, there is still definitional ambiguity regarding categories of trees² I propose the following definitions for consideration:

Significant – A generic term for trees to be protected by these regulations without regard to size. Synonymous with the term “protected” that appears throughout the proposed regulations.

Mature – A protected tree between 6 and 30 inches dbh and subject to a 35% minimum retention requirement. Previously defined as “significant.”³ Use of the term “mature” is more than a semantic suggestion since it distinguishes size, management, permitting and accompanying tree replacement provisions.

Landmark – Any healthy tree over 30 inches dbh. No more than 10% of landmark trees may be removed.

Replacement tree penalty for tree removal in violation of these regulations:

Recommend number of replacement trees required in remediation based on stump size in **Table 21.72.110A** be increased to 11 for a removed tree between 20-30 inches and to 15 for a removed tree greater than 30 inches.

¹ See most recently my memo to the Parks & Trails Commission and Planning Commission of June 12, 2020.

² “Use of the term “significant” throughout Redmond code language leads to semantic confusion and the comingling of the two classifications of trees when determining the number of trees to be retained. While 35% of the (smaller) significant trees could be viewed as a minimum, lumping of the (larger) landmark trees mandated at 100% retention within that 35% results in major losses of the trees most valuable to the environment. The retention of landmark trees should be addressed separately.”

³ Recommend replace the term “significant” with “mature” in **21.72.030** Tree Management paras A1, B.1, F.1.a. & b; **21.72.040** Tree Replacement para B; para E.3.a subject to \$500 base fee: **21.72.60** Permitting Approach para B in text and table, para C on removal of 5 trees per acre per year, para D on removal of 11 or more trees; **21.72.100** Deviations para A second paragraph first sentence to read “A deviation request is required for each mature tree requested to be removed below the 35% tree retention threshold.....” and para B.4 final para....”minimum of three trees for each mature tree removed...” **21.72.110** Enforcement para C “penalty per tree for removal of or damage to mature and landmark trees”.

Linkage to Redmond's Tree Canopy Strategic Plan⁴

The proposed tree regulations are essential elements in implementing Redmond's Tree Canopy Strategic Plan as justified in the footnote and detailed in the attachment. There are two aspects of that Strategic Plan that should be supported by the new proposed tree regulations:

A. Resources to review development proposals, enforce compliance and monitor mitigation:
(See Strategy D4 below)

There is a need for an urban forester on staff to:

1. Review tree protection and replacement plans
2. Validate applicant submissions including those with arborist reports
3. Ascertain judgement on tree health and death throughout these regulations
4. Ensure and enforce compliance with site plan standards and alternative site selection options
5. Ensure permit review criteria are met including those with arborist reports
5. Review tree replacement specifications
6. Judge applicability of deviations requested
7. Monitor success of mitigation plantings and remediation plans if required

The benefit of adding an urban forester to City staff was to be evaluated in 2019-20 per Tree Canopy Strategic Plan.

B. Tracking of tree losses on a quarterly basis to ensure no net loss as we seek a 40% tree canopy:
(See Strategy D2 below as supported by Strategy G8 among other data sets.)

The need to develop a tree preservation dashboard to monitor progress toward a 40% tree canopy requires a data collection, analysis and display program. Since these data fall within the purview of the Planning Department, this program should be identified within the new tree regulations and a reporting process established in support of the Tree Canopy Strategic Plan.

6-Year Tree Canopy Implementation Plan Matrix Source – Tree Canopy Strategic Plan Chapter 8 page 21

STRATEGY D - REGULATIONS

D2: Improve tree removal and replacement tracking using EnerGov to better understand short-term canopy change. (Quarterly reports of tree removal and replacement)

D4: Evaluate need for an on-call arborist or urban forester on staff to advise on tree health and retention.

STRATEGY G – DATA ANALYSIS

G8: Develop collector and methodology to improve tracking of trees planted on private lands

⁴ The loss of tree canopy occurs for many reasons including age, disease, safety issues and development. Understanding how much we are losing on average and why is important to consider when determining strategies, but also understanding the rate of loss will provide insight. The rate of loss was determined by the City through application of GIS comparing aerial photography between 2009, 2013, 2015, and 2017. Between 2009 and 2017, Redmond experienced a net loss of approximately 135 acres of canopy, the pace of decline occurred at a consistent rate of roughly 17 acres per year, with replanting, the net loss is approximately 12-13 acres per year.

Regulations can be used to protect existing canopy ensure trees are replanted to make certain that new development is balanced with the natural environment. Redmond's tree protection codes were written in the 1990's, efforts with this strategy include:

- Review of existing tree regulations and determine if they are accomplishing the intended goals and update for clarity and simplicity when appropriate.
- Improve tree removal and replacement tracking using EnerGov software to better understand short-term canopy change. Track tree planting and removal citywide on an annual basis to understand and adapt to changing conditions over time. Evaluate the need for an on-call arborist or urban forester on staff to advise on tree health and retention
- Research opportunities for increased incentives for the retention and planting of trees during development.

Cost

Low to Moderate. Many of these efforts can be undertaken with current staffing levels and programs in place.

6-Year Tree Canopy Implementation Plan Matrix Source – Tree Canopy Strategic Plan Chapter 8 page 21-23

Strategy D: Regulations			
Regulations can be used to understand tree removal, ensure care of urban trees and set standards for removal and replacement.			
Action	Timeframe	Cost Estimate	Metric
D1: Perform comprehensive review of current regulations to determine if they are accomplishing the intended goals	2019-2020	Moderate	Completed
D2: Improve tree removal and replacement tracking using EnerGov to better understand short-term canopy change.	2019	Low	Quarterly reports of tree removal and replacement
D3: Evaluate compliance on existing single-family tree removal permit applications and replanting to ensure required replanting of trees occurs.	2021-2022	Low	Compliance percentage
D4: Evaluate need for an on-call arborist or urban forester on staff to advise on tree health and retention.	2019-2020	Moderate	Benefit-Cost Analysis

Strategy G: Data Analysis			
Canopy enhancement contains many variables and will need to be tracked on multiple scales (per tree, per acre and overall coverage) to ensure overall goal can be achieved.			
Action	Timeframe	Cost Estimate	Metric
G1: Number of trees and acres planted	Yearly	Low-Moderate	Annually
G2: Number of street trees pruned	Ongoing	Low-Moderate	Annually
G3: Number of volunteer hours performed for restoration and stewardship activities	Annual	Low	Hours performed
G3: Acres enrolled in active management for restoration	Ongoing	Low	Acres enrolled
G4: Acquire Aerial Photography Canopy Analysis	2020	Low	Biennial
G5: Acquire updated lidar dataset to reset canopy baseline	2022-24	Moderate	Every 8 years
G6: Redmond's Current Canopy Coverage	Ongoing	Low	Every two years
G7: Consider i-Tree analysis to better understand species mix, age and environmental values associated with Redmond's urban forests	2021-22	Moderate	Age Species Diversity Stormwater Value Carbon sequestration
G8: Develop collector and methodology to improve tracking of trees planted on private lands	2023	Low	Number and species of trees planted

PUBLIC COMMENT REGARDING PROPOSED (UPDATED) TREE REGULATIONS Provided by Tom Hinman, February 23, 2021 (As amended April 26, 2021)

Under RZC 21.72, the City of Redmond is in the process of updating its Tree Regulations (formerly known as Tree Protection), a topic upon which I have commented numerous times over the last 10 years¹. I welcome the comprehensive review that these regulations have received in recent months.

The positive elements of the proposed regulations include:

1. A proactive approach tracking tree removals 2 years prior to a development application
2. Including neighboring properties by seeking easements for trees along the property line
3. Shifting to the “critical root zone” criteria for tree preservation in place of a 5 foot standard
4. Creation of tree protection tracts that foster contiguous treed properties and have future title restrictions
5. Incentives for higher levels of tree protection
6. Including hazardous trees as a category of trees where replacement trees are required
7. More realistic in-lieu fees, penalties and tree replacement ratios

Areas where clarity is still necessary:

As stated in my memo to June 12, 2020, there is still definitional ambiguity regarding categories of trees² I propose the following definitions for consideration:

Significant – A generic term for trees to be protected by these regulations without regard to size. Synonymous with the term “protected” that appears throughout the proposed regulations.

Mature – A protected tree between 6 and 30 inches dbh and subject to a 40% minimum retention requirement. Previously defined as “significant.”³ Use of the term “mature” is more than a semantic suggestion since it distinguishes size, management, permitting and accompanying tree replacement provisions.

Landmark – Any healthy tree over 30 inches dbh. No more than 10% of landmark trees may be removed.

Replacement tree penalty for tree removal in violation of these regulations:

Recommend number of replacement trees required in remediation based on stump size in **Table 21.72.110A** be increased to 11 for a removed tree between 20-30 inches and to 15 for a removed tree greater than 30 inches.

¹ See most recently my memo to the Parks & Trails Commission and Planning Commission of June 12, 2020.

² “Use of the term “significant” throughout Redmond code language leads to semantic confusion and the comingling of the two classifications of trees when determining the number of trees to be retained. While 35% of the (smaller) significant trees have been viewed as a minimum, lumping of the (larger) landmark trees mandated at 100% retention within that 35% results in major losses of the trees most valuable to the environment. The retention of landmark trees should be addressed separately.

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Chapter 7.4 Protect Source: Tree Canopy Strategic Plan approved by City Council January 15, 2019 page 17ff

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LOGIC TREE FOR TREE CANOPY AND SUPPORTING TREE REGULATIONS AS PROPOSED

DEFINE PROTECTED TREES BETTER

Mature = 6 inches + at breast height

Landmark = 30 inches + at breast height

(To replace confusion over use of the term “significant” which is too generic and currently comingles all trees at a 35% retention rate.)

SO THAT

Tree protection/preservation rates better support the 40% tree canopy goals

No more than 60% of mature trees can be removed (40% retained)

No more than 10% of landmark trees can be removed (90% retained)

AND

Replacement/mitigation plantings can be better calculated in the permitting process

WHICH JUSTIFIES

More rigid review of tree removal plans by dedicated urban forester or contract arborist in the Planning Department

SO THAT

Deviation requests can be more accurately judged, mitigation plans more accurately determined, mitigation outcomes verified in the field and penalties assessed if warranted

SO THAT

Redmond’s tree canopy goals can be met and dashboard data collected showing progress toward achieving them

Comments from Favero Greenforest, 5/12/2021

RELEVANT TREE DEFINITIONS FROM RZC 21.78

Bark. The protective outer covering of branches and stems that arises from the cork cambium.

Bracing. Installation of rods through portions of a tree for supplemental structural support.

Caliper. American Nursery and Landscape Association standard for measurement of trunk size of nursery stock. The diameter of the tree trunk measured at six inches above the ground for trees up to and including four-inch caliper size and twelve inches above the ground for larger trees.

Calipers. Instrument used to measure trunk size.

Certified Arborist. A person ~~or firm~~ with specialized training and knowledge of the horticultural requirements of trees, certified by the International Society of Arboriculture. or the National Arborist Association.

Critical Root Zone. The area of soil around a tree where the minimum number of roots considered critical to the structural stability or health of the tree are located. Defined as the tree canopy plus five feet.

Dead Tree. A tree that is no longer alive but is still standing.

Declining Tree. When a tree gradually loses vigor as displayed by poor growth, dieback and branches, early leaf drop for deciduous trees, and other signs of disease or environmental stress.

Diameter at Breast Height. The diameter of any tree trunk, measured at four and one-half feet above average grade. For species of trees whose normal growth habit is characterized by multiple stems (e.g., hazelnut, vine maple), diameter shall mean the average diameter of all stems of the tree, measured at a point six inches from the point where the stems digress from the main trunk. In no case shall a branch more than six inches above average grade be considered a stem. (SMP)

Diseased Tree. A tree with sustained and progressive impairment of the structure or function of the tree, caused by biotic or abiotic agents.

Drip Line. An area encircling the base of a tree, the minimum extent of which is delineated by a vertical line extending from the outer limit of a tree's branch tips down to the ground.

Girdling. Restriction or destruction of the vascular system within a root, stem, or branch that causes an inhibition of the flow of water and photosynthates.

NAA DOES NOT
PROVIDE
CERTIFICATION.
ONLY ISA DOES.

THIS METHOD DOES NOT ACCURATELY
REFLECT THE SIZE OF A TREE. NEITHER ITS
CANOPY OR ITS ROOTPLAGE. CONSIDER
USING QUADRATIC MEAN DIAMETER
INSTEAD, WHICH IS THE INDUSTRY
STANDARD.

DOES THIS MEAN
30.1" THIRTY
INCHES DBH OR
LARGER. DOES
CODE DISCUSS
ROUNDING
FIGURES?

Hazardous Tree. A tree that ~~is dead, or~~ is so affected by a significant disease, that falling or failure appears imminent, or a tree that impedes flow, or that otherwise currently poses a threat to life or property.

Impacted Tree. A tree that is not being removed but which will have grading or construction within the critical root zone. An impacted tree is counted as a removed tree due to the inability to guarantee the tree and root system's health and viability.

Injured Tree. A tree that is wounded and the tissue is not repaired and does not heal.

Landmark Tree. Any healthy tree over thirty inches in diameter.

Native Growth Protection Area (NGPA). An area where native vegetation is preserved for the purpose of preventing harm to property and the environment, including but not limited to providing open space, maintaining wildlife corridors, maintaining slope stability, controlling runoff and erosion, and/or any other purpose designated by approval.

Native Growth Protection Easement (NGPE). An easement where native vegetation is preserved for the purpose of preventing harm to property and the environment, including but not limited to providing open space, maintaining wildlife corridors, maintaining slope stability, controlling runoff and erosion, and/or any other purpose designated by approval.

Native Vegetation. Those plants which are indigenous to the coastal Pacific Northwest. It does not include lawns, but does include native grasses, such as bunchgrass. (Resource for identifying native plants: Pojar, Jim and MacKinnon, Andy. Plants of the Pacific Northwest Coast: Washington, Oregon, British Columbia and Alaska. Redmond, WA: Lone Pine Publishing, 1994). (SMP)

Pruning. Selective removal of branches or roots to improve tree health, reduce risk or removal of dead wood.

Retained Tree. A tree that is remaining and which no construction or grading will take place within the tree's critical root zone. Also referred to as Saved Tree.

Removal. Removal of a tree(s) or vegetation, through either direct or indirect actions, including but not limited to clearing, cutting, causing irreversible damage to roots or trunks; poisoning; destroying the structural integrity; and/or any filling, excavation, grading, or trenching in the ~~drip line area~~ critical root zone of a tree which has the potential to cause irreversible damage to the tree, or relocation of an existing tree to a new planting location.

Significant Tree. Any healthy tree six inches in diameter at breast height (d.b.h.), or any tree four inches in diameter at breast height (d.b.h.) that, after considering its age, height, value, or function, the tree or tree stand is determined to be significant. (SMP). This term also applies Citywide.

REPLACE SHAPE
WITH
STRUCTURE

Snag. An upright, dead or dying stump or trunk of a tree that provides habitat for a broad range of wildlife, from beetle larvae (and the birds such as woodpeckers that feed upon them) to dens for raccoons. (SMP)

Three Tier Vegetative Plan. A landscape plan prepared or approved by a certified landscape architect, certified nurseryman, or certified landscaper that includes groundcover, understory plantings, and trees.

Topping. Cutting the branches and/or leader of a tree in a manner that destroys the existing symmetrical appearance or natural shape of the tree and involves the removal of main lateral branches and leaving the trunk of the tree or major branches of the tree with a stub appearance. This does not include pruning fruit trees to encourage the production of fruit.

Tree. A self-supporting woody plant characterized by one main trunk or, for certain species, multiple trunks, with a potential at maturity for a trunk diameter of two inches and potential minimum height of 10 feet.

Tree, Stand. A group of three or more trees of any size or species, whose drip lines touch.

Understory Vegetation. Small trees, shrubs, and groundcover plants, growing beneath and shaded by a significant tree, which affect and are affected by the soil and hydrology of the area surrounding the significant tree roots.

THIS WILL INCLUDE RHODODENDRONS,
COTONEASTER, OSMANTHUS AND MANY
OTHER SPECIES CONSIDERED SHRUBS?
WHY THE 2" THRESHOLD? CONSIDER USING
THE 4" DBH THRESHOLD ALREADY IN USE
UNDER 'SIGNIFICANT TREE' DEFINITION.

HOW ABOUT ADDING:
WEEDS TREE SPECIES,
HEDGES,
ROUNDING FIGURES

RZC 21.72 TREE ~~PROTECTION~~REGULATIONS

21.72.010 Purpose and Intent

A. The purpose of this chapter is to:

1. Avoid the removal of stands of trees and significant trees in order to maintain the quality of Redmond's urban environment;
2. Protect stands of trees and significant trees to the maximum extent possible in the design of new buildings, roadways, and utilities;
3. Mitigate the environmental and aesthetic consequences of tree removal in land development through on-site and off-site tree replacement to achieve a goal of no net loss of trees throughout the City of Redmond;
4. Provide measures to protect trees that may be impacted during construction;
5. Support the Tree Canopy Strategic Plan by increasing the City's tree canopy which contributes to Redmond's overall green character. Protected trees, replacement trees, and trees in adjacent public rights-of-way should together target a tree canopy covering 40% of the site over 30 years.
- 5.6. Support the Environmental Sustainability Action Plan; and
- 6.7. Maintain and protect the public health, safety, and general welfare; and.

B. The intent of this chapter is to achieve a treed vision for the City through a combination of tree retention and tree replacement compatible with supporting density, housing and jobs in the adopted Community Strategic Plan and Comprehensive Plan.

21.72.020 Benefits and Values of Trees

A. Trees provide innumerable benefits and values that are woven into the fabric of the community. It is critical to 6. — Preserve-preserve the aesthetic, ecological, and economic benefits of forests and tree-covered areas in Redmond~~7.~~ These benefits which include:

- ~~a.1.~~ 1. Providing varied and rich habitats for wildlife;
- ~~b.2.~~ 2. Absorbing greenhouse gas emissions;
- ~~c.3.~~ 3. Moderating the effects of winds and temperatures;
- ~~d.4.~~ 4. Stabilizing and enriching the soil;
- ~~e.5.~~ 5. Slowing runoff from precipitation and reducing soil erosion;
- ~~f.6.~~ 6. Improving air quality;
- ~~g.7.~~ 7. Improving water quality;
- ~~h.8.~~ 8. Masking unwanted sound;
- ~~i.9.~~ 9. Providing visual relief and screening buffers;
- ~~j.10.~~ 10. Providing recreational benefits;
- ~~k.11.~~ 11. Enhancing the economic value of developments; and
- ~~l.12.~~ 12. Providing a valuable asset to the community as a whole.

21.72.060-030 Tree Management ~~Protection~~Standards

A. Tree Impacts, Approach

1. All adverse impacts to significant trees and landmark trees shall be mitigated. Mitigation

actions by an applicant or property owner shall occur in the following sequence:

- a. Evaluate opportunities to avoid impacts altogether by not removing any trees;
- b. Minimizing impacts by retaining as many trees as possible and taking affirmative steps, such as project redesign, to avoid or reduce impacts;
- c. Rectifying the removed and impacted trees by replacing these trees at a higher percentage;
- d. Reducing or eliminating the impact over time by preservation of existing and replacement trees;
- e. Compensating for the impact by paying a fee-in-lieu for replacement trees; and
- a-f. Monitoring the success of the replacement tree planning mitigation and taking remedial action when necessary.

B. ~~Tree Protection~~ Regulation, In General.

1. In all developments, a minimum of 35 percent of all significant trees shall be retained.
2. Street trees within existing developed or undeveloped public rights-of-way are not included as part of the overall retained significant tree count for the purposes of meeting the 35 percentage.
3. Trees that are located within Native Growth Protection Areas/~~Easements~~, critical areas and their associated buffers as provided in RZC 21.64, Critical Areas, or that have otherwise been designated for protection shall not be removed. ~~Exceptions to this standard shall be requested and reviewed in accordance with RZC 21.72.090, Except~~
- 2-4. Impacted trees, as defined in RZC 21.78, do not count towards meeting the minimum tree retention requirements of this section. ~~Impacted trees shall be subject to tree replacement requirements contained in RZC 21.72.040.~~
- 3-5. Landmark Trees. Landmark trees shall ~~not be removed unless~~ only be removed through a exception deviation per RZC 21.72.100 that has been applied for and granted.
- 4-6. Hazardous Trees. Hazardous trees ~~or dead trees~~ posing a hazard to structures, outside NGPAs, critical areas and buffers, should may be removed through a Tree Removal Permit per RZC 21.72.060 or as part of the land use entitlement process. ~~and are not considered significant trees. Hazardous trees require replacement pursuant to 21.72.040. Hazardous trees physically located within a NGPA/NGPE may not be removed. They may be snagged to provide habitat benefit. Tree remains after snagging shall be left within the NGPA/NGPE. .~~
7. Trees removed within the footprint of a development shall be replaced within the footprint of the development application.

REPLACE
'HAZARD' WITH
'HAVING AN
OVERALL RISK
RATING OF HIGH
OR HIGHER
(FROM TREE
HEALTH
ASSESSMENT
FORM)

C. Site Design Standards

retained. Site improvement standards:

- Site improvement functions, or local items hierarchy, arranged from most important to least important:
- a. Existing stands of healthy trees, with an emphasis on landmark trees, native conifers and other native species;
 - b. Trees providing habitat value, such as riparian habitat;

WHY NOT EMPHASIZE HEALTHY LONG-LIVED SPECIES, RATHER THAN BE LIMITED BY NATIVE SPECIES

WHY NATIVE CONIFERS? THERE ARE SEVERAL ORNAMENTAL CONIFEROUS SPECIES THAT PROVIDE EQUAL BENEFIT, ESPECIALLY CONSIDERING THE NATIVE RED-CEDARS ARE DYING BY THE 1000S FROM HEAT/DROUGHT.

<https://www.isa-arbor.com/events/conference/proceedings/2013/>

- c. Trees having a significant land stability function;
- d. Trees adjacent to public parks and open space;
- e. Trees within the required yard setbacks or around the site perimeter; and
- f. Trees that ~~have a provide~~ screening between higher and lower intensity zones and land uses ~~function or provide relief from glare, blight, or commercial or industrial harshness.~~

2. Trees that extend over property lines shall not be identified as a retained tree unless the neighboring property owner grants and records an easement on their property for the retained trees. This is to avoid situations where saved trees are designated in a development only to be negatively impacted/damaged or removed when the neighboring property is developed.

3. Avoid conflicts with trees and both underground and overhead utilities.

4. In considering trees for protection, applicants and the City shall avoid, to the extent known, the selection of trees that may become hazardous because of wind gusts, ~~including trees adjacent to utility corridors~~, where falling trees may cause ~~power outages or other~~ damage. Remaining trees may be susceptible to blowdowns because of loss of a buffer from other trees, grade changes affecting the tree health and stability, and/or the presence of buildings in close proximity.

The applicant shall demonstrate in writing how the Site Design Standards [1-4](#) above have been met.

D. Grading and Proximity to Structures, Utilities, and Roadways.

1. To ensure that structures, utilities, and roadways are located an adequate distance from the drip line of a protected tree to allow adequate room for construction activities, the construction limit line for a structure, utility, or roadway shall be ~~located~~ no closer than ~~five feet outside of the drip line~~ the critical root zone of a protected tree, subject to the following:

2-a. No proposed structure, utility, or roadway shall be located within five feet of the drip line of a protected tree, except where such structure is a ~~A~~ raised deck, bay window, or cantilevered element or other ~~wise~~ raised structure above the ground's surface may be located within the critical root zone of a protected tree provided that element will so as not ~~to~~ disrupt the ~~tree's~~ roots.

3-b. Sidewalks and utilities may be located within the ~~drip line~~ critical root zone of a protected tree, provided that construction methods and materials used will result in minimal disruption of the tree's roots, and that additional measures for tree protection are proposed and approved which will ensure the long-term viability of the tree. This shall be documented in a report by a certified arborist.

~~4. The Administrator may allow construction limits or an alteration of grades within five feet of the drip line of a protected tree, provided that the applicant submits an evaluation by a certified arborist which demonstrates that the proposed construction will not reduce the long-term viability of the tree.~~

5-c. The Administrator may require an evaluation by a certified arborist to determine if protective measures should be required beyond ~~five feet of the drip line~~ the critical root zone of a protected tree.

E. Designation of Protected Trees.

1. The tree protection and replacement plan and any application and permit plans that cover such areas shall show all trees designated for protection. These areas may be shown by labeling them as “protected trees,” “Native Growth Protection Areas,” “Native Growth Protection Easements,” “critical areas,” “critical area buffers,” or such other designation as may be approved by the Administrator. ~~Protected vegetation, including~~ ~~p~~Protected trees, shall not be modified, harmed, or removed except as provided in this section.
2. Tree Protection Tracts
 - a. Tree protection tracts, or other similar mechanisms as deemed appropriate by the Administrator, shall be used to delineate and protect contiguous areas of protected trees.
 - b. Tree protection tracts shall be recorded on all documents of title or record for affected lots.
 - c. The City may require that any tree protection tract be held in an undivided interest by each owner of a building lot within the development, with the ownership interest passing with ownership of the lot, or held by an incorporated homeowners’ association, or other legal entity which assures the ownership, maintenance, and protection of the tract.
3. Tree Protection Markers and Signs
 - a. The boundary at the outer edge of the tree protection tract or easement shall be delineated with permanent survey stakes, using iron or concrete markers as established by local survey standards.
 - b. The boundary at the outer edge shall be identified with temporary signs prior to any site disturbance. The temporary signs shall be replaced with permanent signs prior to occupancy or use of the site. The number and spacing of permanent signs shall be designated by the Planning Department.
4. Notice on Title
 - a. In order to inform subsequent purchasers of real property of the existence of protected trees, the owner of any property containing a tree protection tract on which a development proposal is submitted shall file a notice with the King County Department of Records and Elections. The notice shall state the presence of protected trees on the property, of the application of the Tree Regulations to the property, and the fact that limitations on actions in or affecting protected trees may exist. The notice shall run with the land.
 - b. The applicant shall submit proof that the notice has been filed for public records before the City approves a building permit or, in the case of subdivision of land or binding site plans, at or before recording.

F. Incentives for Higher Levels of Tree Protection.

1. The Administrator may grant adjustments to site development standards for developments on which ten or more healthy significant trees per exist acre, as follows:
 - a. Developments that preserve 40 percent or more of the healthy significant and landmark trees shall be entitled to the Administrative Design Flexibility provisions for

residential or commercial properties as outlined in RZC 21.76.070.C, *Administrative Design Flexibility*.

- b. Developments that preserve 40 percent or more of the healthy significant and landmark trees shall be entitled to incentives through the Green Building Incentive Program in RZC 21.67- under the Native Vegetation Retention technique pursuant to {RZC 21.67.050.C}.

21.72.080-040 Tree Replacement

- A. Prior to any tree removal, the applicant shall demonstrate through a tree ~~protection-~~retention and replacement plan, critical area mitigation plan, or other plans acceptable to the Administrator that the tree cannot be retained and tree replacement will meet the minimum standards of this section. If tree retention is not practicable, Priority for tree replacement trees shall be located according to the following hierarchy, arranged from highest priority to lowest priority is as follows: on-site, off-site, then fee-in-lieu. Refer to RZC 21.72.0840.D and E for locational requirements.

- B. **Replacement Required.**

A significant tree to be removed or impacted shall be replaced by ~~one-three~~ new trees ~~in accordance with subsection pursuant to paragraph RZC 21.72.080040.C of this section.~~ Trees that are removed or impacted which are classified as landmark shall be replaced by ~~three-six~~ new trees ~~in accordance with subsection pursuant to paragraph RZC 21.72.080040.C of this section.~~ Hazardous trees shall be replaced by three new trees pursuant to paragraph RZC.21.78.040.C.

Trees impacted or removed as part of an approved critical areas mitigation plan do not require a separate tree replacement plan. removed or impacted as part of within a critical area shall be mitigated in accordance with an approved critical areas mitigation plan. No tree replacement is required in the following cases: 1. The when the tree is hazardous, dead, diseased, injured, or in a declining condition with no reasonable assurance of regaining vigor, provided documentation is accepted and approved by the City regarding the tree condition and the City concurs.

2. The tree is proposed to be relocated to another suitable planting site, provided that relocation complies with the standards in this section.

- C. **Replacement Specifications.**

1. Minimum sizes for replacement trees shall be:
 - a. Two-and-one-half-inch caliper for deciduous trees; and
 - b. Six feet in height for evergreen trees.
2. The Administrator may consider smaller-sized replacement trees if the applicant can demonstrate that smaller trees are more suited to the species, the site conditions, and the purposes of this section, and that such trees will be planted in sufficient quantities to meet the intent of this section. This is particularly relevant for trees that are removed in a critical area as part of an approved critical areas mitigation plan. At a minimum, species size at installation shall be consistent with RZC Appendix A, Subsection G, Stream and Wetland Mitigation Plans.

I THINK YOU'RE SHOOTING YOURSELF IN THE FOOT HERE LIMITING TO NATIVE SPECIES.

IT IS NEXT TO IMPOSSIBLE TO FIND SLOW-GROWING NATIVE TREES ON THE MARKET THAT MEET SIZE CRITERIA OF C.1 ABOVE.

TREE SPECIES NATIVE TO THE PNW ARE NOT INHERENTLY BETTER AT PROVIDING THE BENEFITS LISTED IN 21.72.020

3. Replacement trees shall be ~~primarily~~ native species in order to restore and enhance the site as nearly as practicable to its predevelopment ~~character~~ condition. Native species shall be consistent with the definition of Native Vegetation in RZC 21.78. Coniferous trees removed shall be replaced with coniferous trees. Deciduous trees removed may be replaced with either coniferous or deciduous trees. Additionally, a mix of slow-, medium- and fast-growing replacement trees should be included in order to achieve both an early tree canopy. However, if an ornamental tree has been removed through permit, it may be replaced with another ornamental tree. Replacement trees shall be healthy and meet or exceed current American Landscape Association or equivalent organization's standards for nursery stock in American National Standards Institute (ANSI) Nursery Stock Standards per RZC 21.76.090.F.4 or as amended. All required replacement trees shall be in accordance with best practices for landscaping which ensure the tree's long-term health and survival. Street tree installation shall meet the requirement of RZC 21.32.090, Street Trees, including the definition of CU-Structural Soils in RZC 21.78.
- b. All required tree replacement and other required mitigation shall be bonded per RZC 21.76.090.F.4 or completed prior to issuance of a building permit.

D. **Location for Tree Replacement – On-Site.** Replacement trees shall be planted on the site from which significant trees are removed unless the Administrator accepts one or more of the alternatives set forth in subsection RZC 21.72.~~089040~~.E of this section.

E. **Location for Tree Replacement - Alternatives.**

1. General. When on-site replacement cannot be achieved, the Administrator ~~may consider~~ approve the following alternatives. The applicant shall include a written narrative demonstrating why tree replacement cannot be accommodated on-site and a discussion of the rationale for consideration of one of the alternatives set forth below. Criteria that must be contained in the narrative includes:
- a. tree density;
 - b. existing plant competition;
 - c. tree species characteristics;
 - d. planting site conditions such as drainage, soil compaction, amount of light, slope, and space; and
 - e. any other factors that demonstrate there is no space on-site trees can be planted where they can grow to maturity unimpeded.

~~12.~~ **Off-Site Tree Replacement.**

- a. The number of replacement trees shall be the same as described in subsection RZC 21.72.~~089040~~.B of this section, *Replacement Required*. Replacement costs (material plus labor) shall be at the applicant's expense.
- b. Allowable sites for receiving off-site replacement plantings.
 - i. City- or county-owned parks within the City, open space areas, Native Growth Protection Areas (NGPA)/Native Growth Protection Easements (NGPE), or river and stream corridors within Redmond city limits, or lands controlled by the City.

Priority is given to sites identified in the Tree Canopy Strategic Plan.

- ii. Private open space which is permanently protected and maintained, such as a Native Growth Protection Area (NGPA)/Native Growth Protection Easement (NGPE).
- c. All trees to be replaced off-site shall meet the replacement standards of this section.
- ~~23.~~ **Tree Replacement Fee.** A fee-in-lieu of tree replacement may be allowed, subject to approval by the Administrator ~~after careful consideration of all other options if~~ the applicant can demonstrate in writing why replacement trees cannot be accommodated on-site and why off-site tree replacement is not practicable. A tree replacement fee shall be required for each replacement tree required but not planted on the application site or an off-site location.
 - a. ~~The amount of the fee shall be the tree base fee times the number of trees necessary to satisfy the tree replacement requirements of this section. The tree base fee shall cover the cost of a tree, installation (labor and equipment), maintenance for two years, and fund administration.~~ The tree base fee shall be \$500 for each significant tree removed. The tree base fee shall be \$2,000 for each landmark tree removed.
 - b. The fee shall be paid to the City prior to the issuance of a tree removal permit or construction drawing approval.
 - c. Fees collected under this subsection shall be expended only for the planting of new trees in City-owned parks, open spaces, or ~~rights-of-way~~ sites identified in the City's Tree Canopy Strategic Plan.
- ~~3.~~ **Landscape Restoration.** ~~Where appropriate, the Administrator may consider other measures designed to mitigate the loss of trees by restoring all or parts of the forest landscape and its associated benefits. Measures may include, but are not limited to:~~
 - ~~d. Creation of wildlife snags from trees which would otherwise be removed;~~
 - ~~e. Replacement of certain ornamental trees with native shrubs and groundcover;~~
 - ~~f. Replacement of hazardous or short-lived trees with healthy new trees more likely to survive;~~
 - ~~g. Daylighting and restoration of stream corridors with native vegetation; and~~
 - ~~h. Protection of nonsignificant trees to provide for the successional stages of forest development.~~

F. Tree Replacement Guidelines and Requirements.

- 1. When individual trees or tree stands are protected, replacement trees should be planted to reestablish or enhance tree clusters where they previously existed;
- 2. Where possible, replacement trees should be planted within critical areas or buffers, provided that the proposed planting conforms to the requirements for mitigation of critical areas in RZC 21.64, Critical Areas. Replacement trees may be planted within an existing NGPA/NGPE, where the Administrator determines that such planting enhances and complements existing vegetation and environmental functions;
- 3. Replacement trees shall be planted in locations appropriate to the species' growth habit and horticultural requirements;
- 4. Replacement trees shall be located away from areas where damage is likely or infrastructure integrity is compromised, based on the standards in RZC 21.72.060030.CD, Grading and Proximity to Structures, Utilities, and Roadways;

5. Replacement trees shall be located to provide screening of the development from adjacent properties, where appropriate;
6. Replacement trees shall be planted in areas that connect or are adjacent to Native Growth Protection Areas/Easements or other open space, where appropriate;
7. Replacement trees shall be integrated into the required landscape plans, if any, for a development;and.
- ~~8. Replacement trees to be planted next to or under power lines shall be selected with consideration of the trees' maturation and maintenance requirements.~~

~~G. Relocation of Trees.~~

- ~~1. Trees designated as significant may be relocated to a new location on the property under the direction of a certified arborist;~~
- ~~2. With written permission, significant trees may be relocated to another private property or City owned property under the direction of a certified arborist;~~
- ~~3. Relocated trees, meeting the standards above, shall count toward the host property's 35-percent tree retention requirement; and~~
- ~~4. Trees relocated to an off-site property shall be exempt from requirements for tree retention plans, recording, bonding, or other assurances.~~

~~H. Supplemental Standards for the Marymoor Design District.~~

- ~~1. Intent. The intent of these supplemental standards is to focus tree preservation and replacement on increasing long term, healthy tree canopy throughout the Design District. Increasing tree canopy supports the subarea stormwater management strategy and urban design objectives, and contributes to Redmond's overall green character.~~
- ~~2. Applicability. The standards in this subsection apply only to the Marymoor Design District and supplement other standards in this chapter. Where a conflict exists between this subsection and other parts of this chapter, this subsection shall control.~~
- ~~3. Tree canopy. Protected trees, replacement trees and trees in the adjacent public right-of-way must together provide a tree canopy covering 15 percent of the site area within 10 years of site redevelopment, regardless of how many replacement trees are required to achieve the canopy requirement. To comply with this standard the applicant must present a statement and analysis from a certified landscape architect or arborist demonstrating that the plan will meet this standard. If the number of replacement trees required to achieve the canopy requirement is less than would otherwise be required, the applicant shall have the option to plant at least half of the difference, contribute at least half of the difference to the tree replacement fund, or a combination of the two.~~
- ~~2. Replacement specifications.~~
 - ~~a. Evergreen trees shall constitute at least 25 percent of protected and replacement trees combined.~~
 - ~~b. Replacement trees shall be a mix of slow (up to six inches/year), medium (6-18 inches/year) and fast growing (more than 18 inches/year) species in order to achieve both early and long lasting canopy. Slow, medium and fast growing replacement trees shall each constitute at least 25% of the total number of replacement trees.~~
 - ~~c. Replacement trees shall be located so as to maximize their long term health and growth potential, such as by locating them in large planted areas.~~

- ~~d. Trees with broad canopies should be located farther from buildings and other structures with which they could conflict, while more columnar trees are more appropriate closer to buildings and other structures.~~
- ~~3. Relocation of trees. To encourage on-site relocation and replacement of trees:~~
 - ~~a. Trees relocated to an off-site property shall not count toward tree retention calculations; and~~
 - ~~b. Trees replaced using the fee-in-lieu program shall be replaced at a three-to-one (3:1) ratio.~~

21.72.070-050 On-Site Tree Protection Measures

A. **Tree Protection Measures.** To ensure long-term viability of trees and stands identified for protection, permit plans, and construction activities shall comply with the following minimum required tree protection:

- 1. All minimum required tree protection measures shall be shown on the approved tree protection and replacement plan.
- 2. All construction activities, including staging and traffic areas, shall be prohibited within the five feet of the drip line/critical root zone of protected trees.
- 3. Tree protection barriers shall be installed five feet beyond the drip line/outside of the critical root zone of significant trees to be protected prior to any land disturbance. The location of these barriers shall be confirmed in the field by city staff prior to commencing site construction.
- 4. Tree protection barriers shall meet the City's standard detail, be a minimum of four feet high, constructed of chain link, or polyethylene laminar safety fencing or similar material, subject to approval by the Administrator.
- 4.5. Signs On large or multiple project sites, the Administrator may also require that signs request operation and compliance with tree protection standards, and visible for the duration of the project.
- 5.6. When approved, alternative forms of tree protection may be used in lieu of tree protection barriers provided that protected trees are completely surrounded with chain link fence and are accompanied by "Tree Save Area – Keep Out" signs.

B. **Preventative Measures.** In addition to the above minimum tree protection measures, the applicant shall support tree protection efforts by employing, as appropriate, the following preventative measures, consistent with best management practices for maintaining the health of the tree:

- 1. Pruning of visible deadwood on trees to be protected or relocated;
- 2. Application of fertilizer to enhance the vigor of stressed trees;
- 3. Use of soil amendments and soil aeration in tree protection and planting areas;
- 4. Mulching over tree drip line areas; and
- 5. Ensuring proper water availability during and immediately after construction.

C. **Alternative Methods.** The Administrator may approve the use of alternative tree protection techniques method if the following criteria are met:

1. The method is recommended by a certified arborist with documentation that demonstrates how the proposal will achieve a superior outcome and meet the objectives of RZC 21.72.010, Purpose and Intent; and
2. The applicant can demonstrate that direct compliance with the regulations cannot be achieved without limiting reasonable use of the site. ~~a protected tree will be protected to an equal or greater degree than through the techniques listed above.~~

21.72.020-060 Permits Permitting Approach Required

- A. **Permit Required.** Except as provided in RCZ ~~21.72.030070~~, *Exemptions*, any person who desires to cut down or remove any significant tree, hazardous tree or any stand of trees, or who desires to conduct grading activities on a site that will result in the removal ~~of of~~ significant or hazardous trees, must first obtain a permit to do so from the Administrators provided in this section. Landmark trees hold special status and requests for their removal is governed under RZC 21.72.100, Deviations. Tree topping is not permitted and shall be considered removal of a tree. This does not include pruning of fruit trees to encourage the production of fruit. Tree removal associated with a development proposal shall follow the tree protection standards set forth in RZC 21.72.030.
- B. **Developed Single-Family Lots.** The owners of a developed single-family lots must obtain a permit prior to removing any significant tree located on the lot and significant trees shall be replaced as provided in RZC 21.72.0840. Trees may be removed as follows:

Lots up to 10,000 square feet:	Up to 2 significant trees may be removed per year <u>365 days</u> .
Lots 10,001 square feet to 20,000 square feet:	Up to 4 significant trees may be removed per year <u>365 days</u> .
Lots 20,001 square feet to 30,000 square feet:	Up to 6 significant trees may be removed per year <u>365 days</u> .
Lots 30,001 square feet and greater:	Up to 8 significant trees may be removed per year <u>365 days</u> .

~~Provided that trees~~ Trees previously designated for protection or located within a Native Growth Protection Area (NGPA) or Native Growth Protection Easement (NGPE) may not be removed unless they are determined to be hazardous. These trees shall be snagged to provide habitat benefit. Tree remains after snagging shall be left within the NGPA/NGPE. Hazardous, and dead, ~~or otherwise dangerous~~ trees are not included in the limits on number of trees that may be removed pursuant to established by this section paragraph. Documentation that the subject tree is dead must be provided to the City for concurrence. ~~The Administrator may approve the removal of more trees in a given year than set forth above if the remaining trees would pose a hazard to life or property.~~ Replacement trees shall be planted for each significant trees and hazardous tree removed pursuant to RZC 21.72.040, Tree Replacement.

- C. **Other Developed Lots.** The owners of all other developed commercial, industrial, or multifamily lots must obtain a permit prior to removing any significant tree located on the lot. Permits ~~shall may~~ be granted for the removal of no more than five significant trees per acre per ~~year~~ 365 days for the purposes of (a) thinning a heavily wooded area where remaining trees may benefit from the thinning and the site's forested look, value, or function is maintained, or (b) maintaining the site's landscaped areas. Trees previously designated ~~for~~

**HIGH OR SEVERE RISK
UPON AN INDUSTRY-BASED
TREE RISK ASSESSMENT**

~~protection~~as a protected tree or located within a Native Growth Protection Area or Native Growth Protection Easement may not be removed. ~~However, t~~Trees physically located within a NGPA/NGPE that are determined to be hazardous and threaten nearby structures located outside of the NGPA/NGPE may be snagged upon securing a Tree Removal Permit with the City pursuant to RZC 21.72.030. Tree remains after snagging shall be left within the NGPA/NGPE. Hazardous, ~~and~~ dead, ~~or otherwise dangerous~~ trees are not included in the limits established by this ~~section~~paragraph. ~~However, d~~Documentation that the subject tree is dead must be provided to the City for concurrence. Replacement trees shall be planted ~~for each significant trees and each hazardous tree removed pursuant to~~ RZC 21.72.080040, *Tree Replacement*.

- D. **Undeveloped Lots Not Under Land Use Permit Review.** The owners of ~~an~~ undeveloped lots for which no land use application is pending must obtain a permit prior to removing any significant tree(s) or stands of trees on the lot. Removal of 11 or more significant trees requires clearing and grading approval, in accordance with RMC Chapter 15.24, *Clearing, Grading and Stormwater Management*. Tree removal under this category is subject to tree retention standards set forth in RZC 21.72.030 and tree replacement standards set forth in RZC 21.72.040. Trees removed within two calendar years prior to the submittal of a complete development application shall be counted towards tree removal totals for the development application.
- E. **Undeveloped Lots for Which Land Use Permit Applications Are Pending.** When tree removal is planned in conjunction with the construction of a new or expanded site or building, no separate tree removal permit is required, ~~but the~~ tree protection and replacement standards of this chapter ~~will~~ shall be applied to the land use and civil construction permit applications in addition to the other criteria found in this code.
- F. **Forest Practices Permittees.** Permittees under Class IV - General forest practice permits issued by the Washington State Department of Natural Resources (DNR) for the conversion of forested sites to developed sites are also required to obtain a tree removal permit from the City. For all other forest practice permits (Class II, III, IV – special permit) issued by DNR for the purpose of commercial timber operations, no land use permits will be issued for six years following tree removal.
- G. **Archaeological Sites.** Known archaeological sites are not to be disturbed, including tree root removal, unless authorized by the State Department of Archaeology and Historic Preservation (DAHP) via a special permit, per RZC 21.30.070 and RCW 27.53.060.

21.72.030-070 Exemptions

- A. The following activities are exempt from obtaining a permit under this chapter:
1. Emergency activities necessary to remedy an immediate threat to public health, safety, or welfare. In the event of an emergency, City staff shall be immediately notified. Once the immediate threat has been addressed, tree replacement shall occur per RZC 21.72.040, *Tree Replacement*.
 2. Routine maintenance of trees necessary to maintain the health of cultivated plants, to

contain noxious weeds, or to remedy a potential fire or health hazard, or threat to public safety. Routine maintenance does not include the removal of trees.

~~3. Removal of trees in easements and rights-of-way for the purposes of constructing public streets and utilities. Protection of trees shall be a major factor in the location, design, construction, and maintenance of streets and utilities. These improvements are subject to the purpose and intent of this division. Removal of significant trees shall be mitigated with on-site or off-site tree replacement as set forth in the requirements of RZC 21.72.080, Tree Replacement.~~

3. Removal of dead trees. Documentation that the subject tree is dead must be provided to the City for concurrence. The administrator may require assessment from a licensed arborist.

B. Nothing in this section shall be interpreted to allow the removal of trees or other vegetation within critical areas or critical area buffers, where prohibited under RZC 21.64, Critical Areas, or in Native Growth Protection Areas or Native Growth Protection Easements. Trees that are determined to be hazardous and threaten nearby structures outside of the NGPA/NGPE may be snagged upon consultation with and approval by the City per RZC 21.72.030.B and RZC 21.72.060. Tree remains after snagging shall be left within the NGPE/NGPA.

C. Nothing in this section shall be interpreted to allow tree root removal on known archaeological sites unless authorized by the State Department of Archaeology and Historic Preservation via a special permit, per RZC 21.30.070 and RCW 27.53.060.

21.72.040-080 Application Requirements

The Administrator shall specify application submittal requirements, including the type of plans, level of detail and numbers of copies to be submitted. If applicable, a tree removal permit An application-fee shall be paid at the time of application in an amount established in the City's fee schedule.

21.72.050-090 Permit Review Criteria

A. **Review Criteria.** The Administrator shall review all tree removal permit applications and may approve the permit, or approve the permit with conditions, provided that the application demonstrates compliance with the criteria below:

1. The proposal complies with RZC 21.72.060030, Tree Protection-ManagementStandards, and RZC 21.72.080040, Tree Replacement, or has been granted an exceptiona deviation pursuant to RZC 21.72.090100, ExceptionsDeviations.
2. All bonds or other assurance devices required per RZC 21.76.090.F, Performance Assurance, are posted with the City.

B. Professional Evaluation. In determining whether a tree removal permit is to be approved, denied or conditioned, the Administrator may require the submittal of a professional evaluation and/or a tree protection plan prepared by a certified arborist, where the Administrator deems such services necessary to demonstrate compliance with the standards of this chapter. Such professional evaluation(s) and services may includeshall adhere to the Tree Analysis Report Requirements pursuant to RZC Appendix 10.÷

- ~~1. Providing a written evaluation of the anticipated effects of proposed construction on the viability of trees on a site;~~
- ~~2. Providing a hazardous tree assessment;~~
- ~~3. Developing plans for, supervising, and/or monitoring implementation of any required tree protection or replacement measures; and/or~~
- ~~4. Conducting a post construction inspection and evaluation.~~

B.C. Conditions of Approval. The Administrator may specify conditions for work, at any stage of the application or project as ~~he/she deemed~~ necessary to ensure the proposal's compliance with requirements of this ~~division~~section, the Critical Areas regulations, ~~clearing~~Clearing, ~~grading~~Grading, and ~~stormwater~~Stormwater management~~Management~~ regulations, or to protect public or private property. These conditions may include, but are not limited to, hours or seasons within which work may be conducted, or specific work methods.

21.72.090-100 Exceptions~~Deviations~~

A. **Exceptions**~~Deviations~~ **Authorized.** Where exceptional conditions exist that prevent full compliance with RZC ~~21.72.060030~~, *Tree Protection*~~Management~~*Standards*, and/or RZC ~~21.72.080040~~, *Tree Replacement*, the applicant may request ~~an exception~~a deviation. A request for any ~~exception~~deviation shall be submitted in writing by the property owner or applicant for consideration by the Administrator and shall accompany the application for a permit reviewed under this section. The written request shall fully state all substantiating facts and evidence pertinent to the ~~exception~~deviation request ~~and~~, include supporting maps or plans, and explicitly address the deviation criteria below. The Administrator may also require the recommendation of a certified arborist in reviewing ~~an exception~~a deviation request.

A deviation request is required for each tree requested to be removed below the 35% tree retention threshold and ~~each any tree classified as~~ landmark ~~tree~~ requested to be removed. The applicant shall demonstrate in writing how each tree meets the deviation criteria below. Deviations sought in combination with a development application shall be processed concurrent with the development application. Deviations sought for a tree removal permit shall be processed with the tree removal permit.

B. **Exception**~~Deviation~~ **Criteria.** ~~An exception~~A deviation shall not~~may~~ be granted ~~unless if all the~~ criteria in B.1, B.2, B.3, and B.4 of this subsection are satisfied:

1. The ~~exception~~deviation is necessary because:
 - a. There are special circumstances related to the size, shape, topography, location, or surroundings of the subject property; or
 - b. Strict compliance with the provisions of this code may jeopardize reasonable use of property; or
 - ~~c. Proposed vegetation removal, replacement, and any mitigating measures proposed are consistent with the purpose and intent of the regulations; or~~
 - ~~d. The granting of the exception or standard reduction will not be detrimental to the~~

~~public welfare or injurious to other property in the vicinity; or~~

~~e.c.~~ The strict compliance with the provisions of this code would ~~be in~~ conflict with the increased density of urban centers or the Marymoor Design District and result in development that would be inconsistent with the adopted vision for the neighborhood. ~~_~~

- ~~2. If an exception is granted below the required minimum retention standard of 35 percent, tree replacement shall be at a minimum of three trees for each significant tree removed. With the exception of developments in the urban centers or Marymoor Design District, the minimum tree preservation standard shall not go below 35% unless it diminishes or results in no reasonable use of the property. Tree replacement ratios may be modified for master plans within urban centers and local centers to allow for 1:1 replacement when accompanied by a three-tier vegetative replacement plan. In the Marymoor Design District, rather than increase the tree replacement ratio, the canopy coverage requirement in RZC 21.72.080.H.3 shall be increased to 20 percent of the site area. When the total number of replacement trees required to meet the canopy requirement is less than the number that would otherwise be required by this paragraph, the applicant shall plant the trees that would otherwise be required on site or contribute the difference to the tree replacement fund, or a combination of the two.~~
- ~~3. Native Growth Protection Area (NGPA). Trees within an established Native Growth Protection Area shall not be removed, except when removal has its specified purpose:~~
 - ~~a. To remedy a hazardous tree;~~
 - ~~b. To establish a nonmotorized trail as part of a private environmental interpretation program or City of Redmond trail system;~~
 - ~~c. To relocate or consolidate existing trails for the purpose of controlling human impacts to vegetation;~~
 - ~~d. To stabilize slopes;~~
 - ~~e. To add or restore native plants;~~
 - ~~f. To control and replace nonnative vegetation;~~
 - ~~g. To restore degraded watercourses or wetlands; or~~
 - ~~h. To implement a City of Redmond long term restoration or management plan.~~
- ~~3. Granting of the deviation will not be detrimental to the public and the proposed development is in alignment with the adopted Council Strategic Plan, Mayoral Vision, and Comprehensive Plan.~~
4. Proposed tree removal, replacement, and any mitigation proposed are consistent with the purpose and intent of this section. This shall be documented in writing by the applicant or landowner.

Tree replacement for projects granted a deviation shall be at a minimum of three trees for each significant tree removed and six trees for each ~~landmark~~ significant tree meeting the classification of landmark tree removed.

21.72.100-110 Enforcement

A. **Application.** This section shall apply in addition to the provisions of RMC Chapter 1.14, *Enforcement and Penalties*.

B. **Remediation.** Any person who removes a tree in violation of the conditions of a tree removal permit or in violation of this chapter shall be subject to remedial measures, such as tree replacement requirements and fines. For the purpose of code enforcement, if a tree has been removed and only the stump remains, the size of the tree removed shall be the diameter of the top of the stump. The following provisions shall apply in instances where such remedial measures are required:

1. The applicant shall satisfy the permit provisions as specified in RZC ~~21.72.020060~~, Permits Permitting Approach Required.
2. Remedial measures must conform to the purposes and intent of this subsection. In addition, remedial measures must meet the standards specified in RZC ~~21.72.080040~~, Tree Replacement, except that the number of replacement trees for significant trees damaged, destroyed, or removed shall be as follows:

Table 21.72. 100A110A Replacement Tree Requirements	
Size of Removed Tree	Number of Replacement Trees Required
6 inches	2
Greater than 6 inches to 9-ten inches	36
Greater than 9ten inches to 12-20 inches	48
Greater than 12-20 inches to 16-30 inches	510
Greater than 16-30 inches	612

Replacement trees shall be replanted with trees as follows:

Table 21.72. 100A110B Replacement Tree Size	
Type	Size
Deciduous	3 inches in diameter at breast height (d.b.h.) 3-inch caliper
Evergreen	12 feet in height

PLEASE USE A PENALTY, AND NOT APPRAISED VALUE. BASE A FINE ON DOLLARS PER INCH OF DBH. THIS WILL ALLEVIATE OPPOSING ARBORISTS ARGUING OVER WHOS APPRAISED VALUE IS CORRECT, AND WILL REMOVE THE SUBJECTIVE NATURE OF APPRIASAL. YOU CAN'T ARGUE W A FORMULA.

be completed within the time frame specified by the measures necessary to correct violation(s) of this chapter shall owner and/or applicant. Upon the applicant's failure to dial measures, the Administrator may redeem all or any portion by the applicant to implement such remedial measures, of RZC ~~21.76.090~~.F, *Performance Assurance*.

may impose a penalty ~~of up to \$3,000~~ per tree for removal of or ~~mark~~ trees in violation of this chapter. This amount shall be ~~value per industry standard trunk formula method in the current~~ edition or "Guide for Plant Appraisal" published by the International Society of Arboriculture. The penalty amount shall be doubled for tree removal contractors.

21.72.110-120 Maintenance

- A. All required replacement trees and relocated trees shown on an approved permit shall be maintained in healthy condition by the property owner throughout the life of the project, unless otherwise approved by the Administrator in a subsequent permit. Applicants proposing tree removal and replacement shall post the required bonds per RZC 21.76.090.F.4.
- B. **Cutting and Pruning.**
1. Protected trees shall not be topped. Topping of trees shall be considered tree removal and shall be subject to remediation. This does not include pruning fruit trees to encourage the production of fruit.
 2. Street trees shall be cut or pruned only under the supervision of the City ~~of Redmond~~ **Parks Department.**
 3. Pruning and maintenance of protected trees shall be consistent with best management practices in the field of arboriculture and further the long-term health of the tree.
 4. Excessive pruning shall not be allowed ~~unless necessary to protect life and property~~ as it often results in new growth that has a weaker connection and is more likely to fail in the future.

WHAT ABOUT ADDRESSING
TREES GROWING/MAINTAINED
AS HEDGES, AND TREE
SPECIES ON THE KING COUNTY
NOXIOUS WEED LIST?

Chapter 21.72 TREE PROTECTION

Sections:

- 21.72.010 Purpose.**
- 21.72.020 Permits Required.**
- 21.72.030 Exemptions.**
- 21.72.040 Application Requirements.**
- 21.72.050 Permit Review Criteria.**
- 21.72.060 Tree Protection Standards.**
- 21.72.070 Tree Protection Measures.**
- 21.72.080 Tree Replacement.**
- 21.72.090 Exceptions.**
- 21.72.100 Enforcement.**
- 21.72.110 Maintenance.**



21.72.010 Purpose.

A. The purpose of this chapter is to:

1. Avoid the removal of stands of trees and significant trees in order to maintain the quality of Redmond's urban environment;
2. Protect stands of trees and significant trees to the maximum extent possible in the design of new buildings, roadways, and utilities;
3. Mitigate the environmental and aesthetic consequences of tree removal in land development through on-site and off-site tree replacement to achieve a goal of no net loss of trees throughout the City of Redmond;
4. Provide measures to protect trees that may be impacted during construction;
5. Maintain and protect the public health, safety, and general welfare; and
6. Preserve the aesthetic, ecological, and economic benefits of forests and tree-covered areas in Redmond, which include:

- a. Providing varied and rich habitats for wildlife;
- b. Absorbing greenhouse gas emissions;
- c. Moderating the effects of winds and temperatures;
- d. Stabilizing and enriching the soil;
- e. Slowing runoff from precipitation and reducing soil erosion;
- f. Improving air quality;
- g. Improving water quality;
- h. Masking unwanted sound;
- i. Providing visual relief and screening buffers;
- j. Providing recreational benefits;
- k. Enhancing the economic value of developments; and
- l. Providing a valuable asset to the community as a whole.

Effective on: 4/16/2011

21.72.020 Permits Required.

A. **Permit Required.** Except as provided in RCZ [21.72.030](#), *Exemptions*, any person who desires to cut down or remove any significant tree or any stand of trees, or who desires to conduct grading activities on a site that will result in the removal of trees, must first obtain a permit to do so from the Administrator as provided in this section.

B. **Developed Single-Family Lots.** The owners of developed single-family lots must obtain a permit prior to removing any significant tree located on the lot. Trees may be removed as follows:

Lots up to 10,000 square feet:	Up to 2 significant trees may be removed per year.
Lots 10,001 square feet to 20,000 square feet:	Up to 4 significant trees may be removed per year.
Lots 20,001 square feet to 30,000 square feet:	Up to 6 significant trees may be removed per year.
Lots 30,001 square feet and greater:	Up to 8 significant trees may be removed per year.

Provided that trees previously designated for protection or located within a Native Growth Protection Area may not be removed unless they are determined to be hazardous. Hazardous, dead, or otherwise dangerous trees are not included in the limits established by this section. The Administrator may approve the removal of more trees in a given year than set forth above if the remaining trees would pose a hazard to life or property.

C. **Other Developed Lots.** The owners of all other developed commercial, industrial, or multifamily lots must obtain a permit prior to removing any significant tree located on the lot. Permits shall be granted for the removal of no more than five significant trees per acre per year for the purposes of (a) thinning a heavily wooded area where remaining trees may benefit from the thinning and the site's forested look, value, or function is maintained, or (b) maintaining the site's landscaped areas. Trees previously designated for protection or located within a Native Growth Protection Area may not be removed unless they are determined to be hazardous. Hazardous, dead, or otherwise dangerous trees are not included in the limits established by this section. Replacement trees shall be planted as provided in RZC [21.72.080](#), *Tree Replacement*.

D. **Undeveloped Lots Not Under Land Use Permit Review.** The owners of undeveloped lots for which no land use application is pending must obtain a permit prior to removing any significant tree(s) or stands of trees on the lot. Removal of 11 or more significant trees requires clearing and grading approval, in accordance with RMC Chapter [15.24](#), *Clearing, Grading and Stormwater Management*.

E. **Undeveloped Lots for Which Land Use Permit Applications Are Pending.** When tree removal is planned in conjunction with the construction of a new or expanded site or building, no separate tree removal permit is required, but the tree protection and replacement standards of this chapter will be applied to the land use permit application in addition to the other criteria found in this code.

F. **Forest Practices Permittees.** Permittees under Class IV - General forest practice permits issued by the Washington State Department of Natural Resources (DNR) for the conversion of forested sites to developed sites are also required to obtain a tree removal permit from the City. For all other forest practice permits (Class II, III, IV – special permit) issued by DNR for the purpose of commercial timber operations, no land use permits will be issued for six years following tree removal.

Effective on: 4/16/2011

21.72.030 Exemptions.

A. The following activities are exempt from obtaining a permit under this chapter:

1. Emergency activities necessary to remedy an immediate threat to public health, safety, or welfare.
2. Routine maintenance of trees necessary to maintain the health of cultivated plants, to contain noxious weeds, or to remedy a potential fire or health hazard, or threat to public safety.
3. Removal of trees in easements and rights-of-way for the purposes of constructing public streets and utilities. Protection of trees shall be a major factor in the location, design, construction, and maintenance of streets and utilities. These improvements are subject to the purpose and intent of this division. Removal of significant trees shall be mitigated with on-site or off-site tree replacement as set forth in the requirements of RZC [21.72.080](#), *Tree Replacement*.

B. Nothing in this section shall be interpreted to allow the removal of trees or other vegetation within critical areas or critical area buffers, where prohibited under RZC [21.64](#), *Critical Areas*, or in Native Growth Protection Areas.

Effective on: 4/16/2011

21.72.040 Application Requirements.

The Administrator shall specify application submittal requirements, including the type of plans, level of detail and numbers of copies to be submitted. An application fee shall be paid at the time of application in an amount established in the City's fee schedule.

Effective on: 4/16/2011

21.72.050 Permit Review Criteria.

A. **Review Criteria.** The Administrator shall review all tree removal permit applications and approve the permit, or approve the permit with conditions, provided that the application demonstrates compliance with the criteria below:

1. The proposal complies with RZC [21.72.060](#), *Tree Protection Standards*, and RZC [21.72.080](#), *Tree Replacement*, or has been granted an exception pursuant to RZC [21.72.090](#), *Exceptions*.
2. All bonds or other assurance devices required per RZC [21.76.090.F](#), *Performance Assurance*, are posted with the City.

B. **Professional Evaluation.** In determining whether a tree removal permit is to be approved or conditioned, the Administrator may require the submittal of a professional evaluation and/or a tree protection plan prepared by a certified arborist, where the Administrator deems such services necessary to demonstrate compliance with the standards of this chapter. Such professional evaluation(s) and services may include:

1. Providing a written evaluation of the anticipated effects of proposed construction on the viability of trees on a site;
2. Providing a hazardous tree assessment;
3. Developing plans for, supervising, and/or monitoring implementation of any required tree protection or replacement measures; and/or
4. Conducting a post-construction site inspection and evaluation.

C. **Conditions of Approval.** The Administrator may specify conditions for work, at any stage of the application or project as he/she deems necessary to ensure the proposal's compliance with requirements of this division, the Critical Areas regulations, clearing, grading, and stormwater management regulations, or to protect public or

private property. These conditions may include, but are not limited to, hours or seasons within which work may be conducted, or specific work methods.

Effective on: 4/16/2011

21.72.060 Tree Protection Standards.

A. *Tree Protection, In General.*

1. In all developments, a minimum of 35 percent of all significant trees shall be retained. Trees that are located within Native Growth Protection Areas, critical areas, and their associated buffers as provided in RZC [21.64](#), *Critical Areas*, or that have otherwise been designated for protection shall not be removed. Exceptions to this standard shall be requested and reviewed in accordance with RZC [21.72.090](#), *Exceptions*.
2. *Landmark Trees*. Landmark trees shall not be removed unless an exception has been applied for and granted.
3. *Hazardous Trees*. Hazardous trees or dead trees posing a hazard, outside of NGPAs, critical areas and buffers, should be removed and are not considered significant trees.

B. *Site Design Standards.* Site improvements shall be designed and constructed to meet the following standards:

1. Site improvements shall be designed to protect trees with the following characteristics, functions, or location, with priority given to protection according to the following items, arranged from most important to least important:
 - a. Existing stands of healthy trees;
 - b. Trees providing habitat value, such as riparian habitat;
 - c. Trees having a significant land stability function;
 - d. Trees adjacent to public parks and open space;
 - e. Trees within the required yard setbacks or around the site perimeter; and
 - f. Trees that have a screening function or provide relief from glare, blight, or commercial or industrial harshness.
2. In considering trees for protection, applicants and the City shall avoid, to the extent known, the selection of trees that may become hazardous because of wind gusts, including trees adjacent to utility corridors where falling trees may cause power outages or other damage. Remaining trees may be susceptible to blowdowns because of loss of a buffer from other trees, grade changes affecting the tree health and stability, and/or the presence of buildings in close proximity.

C. *Grading and Proximity to Structures, Utilities, and Roadways.*



[Tree Protection Barriers User Guide](#)

1. To ensure that structures, utilities, and roadways are located an adequate distance from the drip line of a protected tree to allow adequate room for construction activities, the construction limit line for a structure, utility, or roadway shall be located no closer than five feet outside of the drip line of a protected tree.
2. No proposed structure, utility, or roadway shall be located within five feet of the drip line of a protected tree, except where such structure is a raised deck, bay window, or cantilevered or otherwise raised above the ground's surface so as not to disrupt the tree's roots.
3. Sidewalks and utilities may be located within the drip line of a protected tree, provided that construction methods and materials used will result in minimal disruption of the tree's roots, and that additional measures for tree protection are proposed and approved which will ensure the long-term viability of the tree.
4. The Administrator may allow construction limits or an alteration of grades within five feet of the drip line of a protected tree, provided that the applicant submits an evaluation by a certified arborist which demonstrates that the proposed construction will not reduce the long-term viability of the tree.
5. The Administrator may require an evaluation by a certified arborist to determine if protective measures should be required beyond five feet of the drip line of a protected tree.

D. *Designation of Protected Trees.*

1. The tree protection and replacement plan and any application and permit plans that cover such areas shall show all trees designated for protection. These areas may be shown by labeling them as "protected trees," "Native Growth Protection Areas," "critical areas," "critical area buffers," or such other designation as may be approved by the Administrator. Protected vegetation, including protected trees, shall not be modified, harmed, or removed except as provided in this section.
2. The Administrator may require that protected trees be permanently preserved within a tract, easement, or other permanent protective mechanism. When required, the location, purpose, and limitation of these protected areas shall be shown on the face of the deed, plat, binding site plan, or similar document, and shall be recorded with the King County Department of Records and Elections or its successor. The recorded document shall include the requirement that the protected areas shall not be removed, amended, or modified without the written approval of the City of Redmond.

E. *Incentives for Higher Levels of Tree Protection.*

1. The Administrator may grant adjustments to site development standards for developments on which ten or more healthy significant trees per exist acre, as follows:
 - a. Developments that preserve 40 percent or more of the healthy significant trees shall be entitled to the Administrative Design Flexibility provisions for residential or commercial properties as outlined in [RZC 21.76.070.C](#), *Administrative Design Flexibility*.

(Ord. 2958)

Effective on: 4/27/2019

21.72.070 Tree Protection Measures.

A. **Tree Protection Measures.** To ensure long-term viability of trees and stands identified for protection, permit plans, and construction activities shall comply with the following minimum required tree protection:

1. All minimum required tree protection measures shall be shown on the tree protection and replacement plan.
2. All construction activities, including staging and traffic areas, shall be prohibited within five feet of the drip line of protected trees.
3. Tree protection barriers shall be installed five feet beyond the drip line of significant trees to be protected prior to any land disturbance.
4. Tree protection barriers shall be a minimum of four feet high, constructed of chain link, or polyethylene laminar safety fencing or similar material, subject to approval by the Administrator. On large or multiple-project sites, the Administrator may also require that signs requesting subcontractor cooperation and compliance with tree protection standards be posted at site entrances.
5. Where tree protection areas are remote from areas of land disturbance, and where approved by the Administrator, alternative forms of tree protection may be used in lieu of tree protection barriers, provided that protected trees are completely surrounded with continuous rope or flagging and are accompanied by "Tree Save Area – Keep Out" signs.

B. **Preventative Measures.** In addition to the above minimum tree protection measures, the applicant shall support tree protection efforts by employing, as appropriate, the following preventative measures, consistent with best management practices for maintaining the health of the tree:

1. Pruning of visible deadwood on trees to be protected or relocated;
2. Application of fertilizer to enhance the vigor of stressed trees;
3. Use of soil amendments and soil aeration in tree protection and planting areas;
4. Mulching over tree drip line areas; and
5. Ensuring proper water availability during and immediately after construction.

C. **Alternative Methods.** The Administrator may approve the use of alternative tree protection techniques if a protected tree will be protected to an equal or greater degree than through the techniques listed above.

Effective on: 4/16/2011

21.72.080 Tree Replacement.

A. Prior to any tree removal, the applicant shall demonstrate through a tree protection and replacement plan, critical area mitigation plan, or other plans acceptable to the Administrator that tree replacement will meet the minimum standards of this section.

B. **Replacement Required.** A significant tree to be removed shall be replaced by one new tree in accordance with subsection RZC [21.72.080.C](#) of this section. Trees that are removed which are classified as landmark shall be replaced by three new trees in accordance with subsection RZC [21.72.080.C](#) of this section. No tree replacement is required in the following cases:

1. The tree is hazardous, dead, diseased, injured, or in a declining condition with no reasonable assurance of regaining vigor.
2. The tree is proposed to be relocated to another suitable planting site, provided that relocation complies with the standards in this section.

C. **Replacement Specifications.**

1. Minimum sizes for replacement trees shall be:
 - a. Two-and-one-half-inch caliper for deciduous trees;
 - b. Six feet in height for evergreen trees.
2. The Administrator may consider smaller-sized replacement trees if the applicant can demonstrate that smaller trees are more suited to the species, the site conditions, and the purposes of this section, and that such trees will be planted in sufficient quantities to meet the intent of this section.
3. Replacement trees shall be primarily native species in order to restore and enhance the site as nearly as practicable to its predevelopment character.
4. The condition of replacement trees shall meet or exceed current American Nursery and Landscape Association or equivalent organization's standards for nursery stock.
5. *Installation.*
 - a. Installation of required replacement trees shall be in accordance with best management practices for landscaping which ensure the tree's long-term health and survival.
 - b. All required tree replacement and other required mitigation shall be bonded or completed prior to issuance of a building permit.

D. **Location for Tree Replacement – On-Site.** Replacement trees shall be planted on the site from which significant trees are removed unless the Administrator accepts one or more of the alternatives set forth in subsection RZC [21.72.080.E](#) of this section.

E. ***Location for Tree Replacement - Alternatives.*** When on-site replacement cannot be achieved, the Administrator may consider the following alternatives:

1. *Off-Site Tree Replacement.*

- a. The number of replacement trees shall be the same as described in subsection RZC [21.72.080.B](#) of this section, Replacement Required. Replacement costs (material plus labor) shall be at the applicant's expense.
- b. Allowable sites for receiving off-site replacement plantings.
 - i. City- or county-owned parks, open space areas, Native Growth Protection Areas (NGPA), or river and stream corridors within Redmond city limits, or lands controlled by the City.
 - ii. Private open space which is permanently protected and maintained, such as a Native Growth Protection Area (NGPA).
- c. All trees to be replaced off-site shall meet the replacement standards of this section.

2. *Tree Replacement Fee.* A fee-in-lieu of tree replacement may be allowed, subject to approval by the Administrator after careful consideration of all other options. A tree replacement fee shall be required for each replacement tree required but not planted on the application site or an off-site location.

- a. The amount of the fee shall be the tree base fee times the number of trees necessary to satisfy the tree replacement requirements of this section. The tree base fee shall cover the cost of a tree, installation (labor and equipment), maintenance for two years, and fund administration.
- b. The fee shall be paid to the City prior to the issuance of a tree removal permit.
- c. Fees collected under this subsection shall be expended only for the planting of new trees in City-owned parks, open spaces, or rights-of-way.

3. *Landscape Restoration.* Where appropriate, the Administrator may consider other measures designed to mitigate the loss of trees by restoring all or parts of the forest landscape and its associated benefits. Measures may include, but are not limited to:

- a. Creation of wildlife snags from trees which would otherwise be removed;
- b. Replacement of certain ornamental trees with native shrubs and groundcover;
- c. Replacement of hazardous or short-lived trees with healthy new trees more likely to survive;
- d. Daylighting and restoration of stream corridors with native vegetation; and
- e. Protection of nonsignificant trees to provide for the successional stages of forest development.

F. ***Tree Replacement Guidelines and Requirements.***

1. When individual trees or tree stands are protected, replacement trees should be planted to reestablish or enhance tree clusters where they previously existed;
2. Where possible, replacement trees should be planted within critical areas or buffers, provided that the proposed planting conforms to the requirements for mitigation of critical areas in RZC [21.64](#), *Critical Areas*. Replacement trees may be planted within an existing NGPA, where the Administrator determines that such planting enhances and complements existing vegetation and environmental functions;
3. Replacement trees shall be planted in locations appropriate to the species' growth habit and horticultural requirements;
4. Replacement trees shall be located away from areas where damage is likely, based on the standards in RZC [21.72.060.C](#), *Grading and Proximity to Structures, Utilities, and Roadways*;
5. Replacement trees shall be located to provide screening of the development from adjacent properties, where appropriate;
6. Replacement trees shall be planted in areas that connect or are adjacent to Native Growth Protection Areas or other open space, where appropriate;
7. Replacement trees shall be integrated into the required landscape plans, if any, for a development; and
8. Replacement trees to be planted next to or under power lines shall be selected with consideration of the trees' maturation and maintenance requirements.

G. *Relocation of Trees.*

1. Trees designated as significant may be relocated to a new location on the property under the direction of a certified arborist;
2. With written permission, significant trees may be relocated to another private property or City-owned property under the direction of a certified arborist;
3. Relocated trees, meeting the standards above, shall count toward the host property's 35 percent tree retention requirement; and
4. Trees relocated to an off-site property shall be exempt from requirements for tree retention plans, recording, bonding, or other assurances.

H. *Supplemental Standards for the Marymoor Design District.*

1. *Intent.* The intent of these supplemental standards is to focus tree preservation and replacement on increasing long-term, healthy tree canopy throughout the Design District. Increasing tree canopy supports the subarea stormwater management strategy and urban design objectives, and contributes to Redmond's overall green character.

2. *Applicability.* The standards in this subsection apply only to the Marymoor Design District and supplement other standards in this chapter. Where a conflict exists between this subsection and other parts of this chapter, this subsection shall control.

3. *Tree canopy.* Protected trees, replacement trees and trees in the adjacent public right-of-way must together provide a tree canopy covering 15 percent of the site area within 10 years of site redevelopment, regardless of how many replacement trees are required to achieve the canopy requirement. To comply with this standard the applicant must present a statement and analysis from a certified landscape architect or arborist demonstrating that the plan will meet this standard. If the number of replacement trees required to achieve the canopy requirement is less than would otherwise be required, the applicant shall have the option to plant at least half of the difference, contribute at least half of the difference to the tree replacement fund, or a combination of the two.

4. *Replacement Specifications.*

- a. Evergreen trees shall constitute at least 25 percent of protected and replacement trees combined.
- b. Replacement trees shall be a mix of slow- (up to six inches/year), medium- (6-18 inches/year) and fast-growing (more than 18 inches/year) species in order to achieve both early and long-lasting canopy. Slow-, medium- and fast-growing replacement trees shall each constitute at least 25 percent of the total number of replacement trees.
- c. Replacement trees shall be located so as to maximize their long-term health and growth potential, such as by locating them in large planted areas.
- d. Trees with broad canopies should be located farther from buildings and other structures with which they could conflict, while more columnar trees are more appropriate closer to buildings and other structures.

5. *Relocation of trees.* To encourage on-site relocation and replacement of trees:

- a. Trees relocated to an off-site property shall not count toward tree retention calculations; and
- b. Trees replaced using the fee-in-lieu program shall be replaced at a three-to-one (3:1) ratio.

(Ord. 2803; Ord. 2883)

Effective on: 6/17/2017

21.72.090 Exceptions.

A. **Exceptions Authorized.** Where exceptional conditions exist that prevent full compliance with RZC [21.72.060](#), *Tree Protection Standards*, and/or RZC [21.72.080](#), *Tree Replacement*, the applicant may request an exception. A request for any exception shall be submitted in writing by the property owner for consideration by the Administrator, and shall accompany the application for a permit reviewed under this section. The written request

shall fully state all substantiating facts and evidence pertinent to the exception request, and include supporting maps or plans. The Administrator may also require the recommendation of a certified arborist in reviewing an exception request.

B. **Exception Criteria.** An exception shall not be granted unless criteria [B.1](#), [B.2](#), [B.3](#), and [B.4](#) of this subsection are satisfied:

1. The exception is necessary because:
 - a. There are special circumstances related to the size, shape, topography, location, or surroundings of the subject property; or
 - b. Strict compliance with the provisions of this code may jeopardize reasonable use of property; or
 - c. Proposed vegetation removal, replacement, and any mitigating measures proposed are consistent with the purpose and intent of the regulations; or
 - d. The granting of the exception or standard reduction will not be detrimental to the public welfare or injurious to other property in the vicinity; or
 - e. The strict compliance with the provisions of this code would be in conflict with the increased density of urban centers or the Marymoor Design District and result in development that would be inconsistent with the adopted vision for the neighborhood.
2. If an exception is granted below the required minimum retention standard of 35 percent, tree replacement shall be at a minimum of three trees for each significant tree removed. Tree replacement ratios may be modified for master plans within urban centers and local centers to allow for 1:1 replacement when accompanied by a three-tier vegetative replacement plan. In the Marymoor Design District, rather than increase the tree replacement ratio, the canopy coverage requirement in RZC [21.72.080.H.3](#) shall be increased to 20 percent of the site area. When the total number of replacement trees required to meet the canopy requirement is less than the number that would otherwise be required by this paragraph, the applicant shall plant the trees that would otherwise be required on site or contribute the difference to the tree replacement fund, or a combination of the two.
3. *Native Growth Protection Area (NGPA).* Trees within an established Native Growth Protection Area shall not be removed, except when removal has its specified purpose:
 - a. To remedy a hazardous tree;
 - b. To establish a nonmotorized trail as part of a private environmental interpretation program or City of Redmond trail system;
 - c. To relocate or consolidate existing trails for the purpose of controlling human impacts to vegetation;
 - d. To stabilize slopes;
 - e. To add or restore native plants;

- f. To control and replace nonnative vegetation;
 - g. To restore degraded watercourses or wetlands; or
 - h. To implement a City of Redmond long-term restoration or management plan.
4. Proposed tree removal, replacement, and any mitigation proposed are consistent with the purpose and intent of this section.

(Ord. 2883)

Effective on: 6/17/2017

21.72.100 Enforcement.

A. **Application.** This section shall apply in addition to the provisions of RMC Chapter [1.14](#), *Enforcement and Penalties*.

B. **Remediation.** Any person who removes a tree in violation of the conditions of a tree removal permit or in violation of this chapter shall be subject to remedial measures. For the purpose of code enforcement, if a tree has been removed and only the stump remains, the size of the tree shall be the diameter of the top of the stump. The following provisions shall apply in instances where such remedial measures are required:

1. The applicant shall satisfy the permit provisions as specified in RZC [21.72.020](#), *Permits Required*.
2. Remedial measures must conform to the purposes and intent of this subsection. In addition, remedial measures must meet the standards specified in RZC [21.72.080](#), *Tree Replacement*, except that the number of replacement trees for significant trees damaged, destroyed, or removed shall be as follows:

Table 21.72.100A Replacement Tree Requirements	
Size of Removed Tree	Number of Replacement Trees Required
6 inches	2
Greater than 6 to 9 inches	3
Greater than 9 to 12 inches	4
Greater than 12 to 16 inches	5
Greater than 16 inches	6

Replacement trees shall be replanted with trees as follows:

Table 21.72.100B Replacement Tree Size	
Type	Size
Deciduous	3 inches in diameter at breast height (d.b.h.)
Evergreen	12 feet in height

3. Remedial measures must be completed within the time frame specified by the Administrator.
4. The cost of any remedial measures necessary to correct violation(s) of this chapter shall be borne by the property owner and/or applicant. Upon the applicant's failure to implement required remedial measures, the Administrator may redeem all or any portion of any security submitted by the applicant to implement such remedial measures, pursuant to the provisions of RZC [21.76.090.F](#), *Performance Assurance*.

C. **Penalties.** The Administrator may impose a penalty of up to \$3,000 per tree for removal of or damage to significant trees in violation of this chapter.

Effective on: 4/16/2011

21.72.110 Maintenance.

A. All required replacement trees and relocated trees shown on an approved permit shall be maintained in healthy condition by the property owner throughout the life of the project, unless otherwise approved by the Administrator in a subsequent permit.

B. **Cutting and Pruning.**

1. Protected trees shall not be topped.
2. Street trees shall be cut or pruned only under the supervision of the City of Redmond Parks Department.
3. Pruning and maintenance of protected trees shall be consistent with best management practices in the field of arboriculture and further the long-term health of the tree.
4. Excessive pruning shall not be allowed unless necessary to protect life and property.

(Ord. 2803)

Effective on: 10/17/2015

The Redmond Zoning Code is current through Ordinance 3028, passed February 16, 2021.

Disclaimer: The City Clerk's Office has the official version of the Redmond Zoning Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

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